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Report of the Working Group on the Universal Periodic Review*

Democratic Republic of the Congo

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Contents

		Paragraphs	*Page*
	Introduction	1–4	3
I.	Summary of the proceedings of the review process	5–132	3
	A. Presentation by the State under review	5–26	3
	B. Interactive dialogue and responses by the State under review	27–132	5
II.	Conclusions and/or recommendations	133–137	13
Annex			
	Composition of the delegation		27

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its nineteenth session from 28 April to 9 May 2014. The review of the Democratic Republic of the Congo was held at the 3rd meeting on 29 April 2014. The delegation of the Democratic Republic of the Congo was headed by Mumba Matipa Wivine, Minister of Justice and Human Rights. At its 10th meeting held on 2 May 2014, the Working Group adopted the report on the Democratic Republic of the Congo.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Democratic Republic of the Congo: Algeria, Kuwait and the United States of America.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of the Democratic Republic of the Congo:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/19/COD/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/19/COD/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/19/COD/3).

4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Portugal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to the Democratic Republic of the Congo through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation of the Democratic Republic of the Congo stressed that, since the country's participation in the first cycle, the Government had made considerable efforts to promote and protect human rights.

6. In the political and diplomatic domains, the delegation recalled the initiatives that had led to the signing of a number of agreements, including the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, of 24 February 2013, and the Nairobi Declaration of 12 December 2013.

7. The delegation mentioned the reform of the defence sector. Thanks to this restructuring and the support of the special intervention brigade established pursuant to Security Council resolution 2098, the Congolese Armed Forces had destroyed the Mouvement du 23 mars and re-established the State's authority in hitherto occupied areas.

8. Regarding justice sector reform, the delegation stated that the Government had embarked on an extensive long-term programme, triggered by the entry into force of the 2006 Constitution. The Acts on the organization and functioning of the Court of Cassation,

the Council of State and the Constitutional Court had been adopted by parliament and promulgated by the President, and the establishment of those high courts was imminent.

9. Regarding the struggle against impunity, the delegation emphasized that the legislative branch had awarded the appeals courts jurisdiction over matters of genocide, war crimes and crimes against humanity perpetrated by individuals under their jurisdiction or that of the *tribunaux de grande instance* (courts of major jurisdiction). In order to punish serious human rights violations committed in the past 20 years, the Minister of Justice and Human Rights had drafted a bill on the establishment, organization and functioning of specialized chambers, which had been adopted by the Cabinet and transmitted to parliament for consideration.

10. The delegation highlighted the adoption by parliament of the Act on the implementation of women's rights and equality and the bill on the organization of urban, municipal and local elections, which provided for additional seats to be reserved in all municipal and local councils for those unelected female candidates who received the highest number of votes.

11. The delegation pointed out that the National Human Rights Commission had been established and that the National Assembly was in the process of appointing the commissioners.

12. The delegation stated that war was both a cause and an aggravating circumstance of sexual violence because such violence was used to destroy society. In 2009, a national strategy against sexual and gender-based violence had been adopted and piloted in the Eastern part of the country with a view to being rolled out nationwide.

13. The delegation pointed out that the Government had signed a joint statement with the Special Representative of the Secretary-General on Sexual Violence in Conflict in 2013. A monitoring plan had been devised and the President would shortly be appointing a personal representative on sexual violence.

14. The delegation stated that all alleged perpetrators of sexual violence involved in cases reported to the judicial authorities were prosecuted. Those convicted of such offences were not entitled to parole, a pardon or amnesty.

15. Regarding children in armed conflict, the delegation indicated that in 2012, the Government and the Task Force on Children and Armed Conflict had agreed on an action plan to combat the recruitment and use of children and other serious children's rights violations committed by the Congolese Armed Forces and the security forces. The delegation pointed out that 2,894 children had left the armed forces and armed groups as a result.

16. The delegation called on the international community to support a definitive end to the war and cooperate in apprehending and bringing to justice all the perpetrators of serious human rights violations who were circulating freely in certain States.

17. In response to advance questions from a number of States, the delegation mentioned that a bill to incorporate the Rome Statute of the International Criminal Court into national legislation had been submitted to parliament.

18. Among the initiatives taken to facilitate access to justice for women victims of sexual violence, the delegation mentioned that free legal aid was available and that mobile hearings were held regularly.

19. The delegation stated that the Government was making efforts to strengthen the judicial system, including by recruiting judges and establishing magistrates' courts in all provinces. Furthermore, witnesses and victims of sexual violence received protection from

the special police units for the protection of women and children. The delegation added that targeted legal provisions still needed to be formulated to better ensure their safety.

20. The delegation stated that measures had been taken to improve detention conditions and that, thanks to a range of initiatives, malnutrition in prisons was declining. The Government had established a refurbishment plan for detention facilities.

21. Regarding collaboration with human rights protection and promotion mechanisms, the delegation stressed that no requests to visit the country had been denied. The delegation specified that all reports to treaty bodies should be submitted by the end of March 2015.

22. Regarding the implementation of the recommendations of the Committee on the Elimination of Discrimination against Women, the delegation reported that a bill amending the Family Code to repeal provisions that were discriminatory towards women was under consideration.

23. The delegation noted that the process of ratifying the Convention on the Rights of Persons with Disabilities was under way, but that the process for the International Convention for the Protection of All Persons from Enforced Disappearance had not yet begun. Regarding the prevention mechanism provided for under the Optional Protocol to the Convention against Torture, the delegation pointed out that, in order to avoid a plethora of systems, the mechanism's mandate could be entrusted to the National Human Rights Commission.

24. Regarding the abolition of capital punishment, the delegation confirmed that the issue was not officially on the political agenda, but that a de facto moratorium had been in force for 10 years.

25. The delegation stated that acts of intimidation, death threats, arbitrary arrests and other human rights violations against human rights defenders had been reported in the conflict areas in the Eastern part of the country and that a bill on the protection of human rights defenders had been submitted to parliament, although it had yet to be adopted.

26. Regarding the reform of the Congolese Armed Forces, the delegation stated that the general plan consisted of three phases, which the Government intended to implement by 2025.

B. Interactive dialogue and responses by the State under review

27. During the interactive dialogue, 94 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

28. The Netherlands welcomed the Peace, Security and Cooperation Framework, which provided a base to implement the rule of law and prosecute those who committed crimes against humanity and other international crimes in the past.

29. While acknowledging the efforts made to strengthen human rights, Nicaragua stated that many tasks remained and resources were insufficient. It encouraged the Democratic Republic of the Congo to step up its efforts to improve the lives of its citizens.

30. The Niger commended the progress made since the last review through the adoption of legislation and improvements in education, health, access to water and job creation.

31. Nigeria urged the country to provide education and health care and ensure respect for women's and children's rights. It called on the international community to support the Democratic Republic of the Congo.

32. Norway believed that it was important to introduce legislation to protect human rights defenders. It stated that women were poorly represented in political bodies, while

sexual and gender-based violence remained a widespread and serious human rights violation.

33. Paraguay commended the country for its ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, approval of the Child Protection Code and issuance of a Presidential Decree ordering the demobilization of child soldiers.

34. The Philippines welcomed the reforms in laws and infrastructure in the areas of education, health, water and sanitation, and recognized that the assistance of the international community remained valuable.

35. Poland commended the adoption of a plan of action to combat the recruitment and use of children by the armed forces and security services, and the promulgation of a law envisaging the establishment of the National Human Rights Commission (NHRC).

36. Portugal welcomed the creation of the NHRC, and noted with satisfaction the joint plan of the State under review and the United Nations to combat the recruitment of children by the armed forces.

37. The Republic of Korea noted the reported progress in eliminating sexual violence, combating torture and strengthening the human rights infrastructure. It expressed concern at the human rights situation in the east of the country.

38. The Russian Federation noted the Government's willingness to implement the recommendations of international monitoring bodies and the decisions of international and regional judicial bodies, despite the extremely complex human rights situation.

39. Namibia commended the de facto moratorium on the death penalty and the efforts to ensure gender parity.

40. Senegal welcomed progress made in implementing recommendations from the first cycle, notably by adopting policies and legislative reforms.

41. Sierra Leone noted the steps taken to implement first cycle recommendations. It expressed concern about the dire situation in parts of the country, which affected some 2.6 million internally displaced persons.

42. Singapore noted the efforts to combat sexual and gender-based violence and improve access to health care.

43. Slovakia encouraged the authorities to investigate attacks against human rights defenders and civil society representatives and expressed concern at the situation of women.

44. Slovenia welcomed the action plan to combat recruitment of children by armed forces and remained concerned by reports of prevalence of sexual gender-based violence across the country.

45. South Africa commended the policies and legislative changes, such as the establishment of a national human rights institution, and noted the State's request for technical assistance and capacity-building.

46. South Sudan acknowledged the role of the Government in combating torture and criminalizing it as a separate offence. It welcomed the establishment of the NHRC.

47. Spain commended progress in human rights, in particular the country's policies on integration of women in political life and the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. It acknowledged efforts to combat sexual violence against women and the de facto moratorium on death penalty.

48. The State of Palestine welcomed the enactment of legislation to promote human rights and, in particular, to criminalize torture. It commended action in support of non-discriminatory education and the policy on free and compulsory primary education.

49. The Sudan commended action to bolster the institutional and legislative human rights framework through amendments to the Constitution and domestic legislation.

50. Sweden noted that despite progress made in addressing impunity within the security services, security agents remained responsible for violations. It urged the continuing reform of the justice sector.

51. Thailand commended the State under review for improving domestic legislation in line with its international human rights obligations. It encouraged the country to appoint the members of the NHRC and allocate sufficient resources to it.

52. The former Yugoslav Republic of Macedonia was concerned by the rights of women and children, noting that 400,000 women and children were victims of sexual violence in the country and that children continued to be recruited and detained.

53. Timor-Leste noted the positive steps taken by the State under review to protect human rights, the ratification of human rights conventions and the improvement of education and health.

54. Togo commended the efforts of the Democratic Republic of the Congo to bring an end to armed conflict and to implement the recommendations of the previous UPR cycle.

55. Tunisia welcomed measures taken to promote human rights, including the revision of the Constitution. It encouraged the country to ensure that human rights defenders and journalists could exercise their rights. It called upon the international community to provide technical assistance.

56. Uganda noted progress made in human rights: among others, the establishment of the Independent National Electoral Commission, the NHRC and the national fund for women and children.

57. The United Kingdom of Great Britain and Northern Ireland noted that serious human rights violations persisted in the country, including the murder and rape of civilians and the recruitment of children. It remained concerned by impunity, although it welcomed the country's commitment to combat it.

58. The United Republic of Tanzania commended the country's commitment to, inter alia, good governance and peace, institutional and judicial reform, and combating impunity. It welcomed the plan of action to prevent the recruitment of children by armed forces. It called upon the international community to provide technical assistance.

59. The United States of America welcomed the signing of the Nairobi Declarations of 12 December 2013 and encouraged the Democratic Republic of the Congo to implement the action plan on child soldiers. It welcomed the investigation into the 2012 mass rapes in Minova, but remained concerned by the slow pace of judicial and security sector reform.

60. Uruguay recognized the work carried out by the Democratic Republic of the Congo in response to previous recommendations and the ratification of international human rights instruments. It commended the adoption of a national strategy to combat sexual violence.

61. The Bolivarian Republic of Venezuela welcomed the introduction of free primary education, improved health care and safe water. It called upon the international community to support the State under review.

62. Zimbabwe noted the establishment of the NHRC, the National Agency to Combat Violence against Women and Girls and the protection unit for human rights defenders.

63. Algeria noted the country's constructive approach to the UPR process and to human rights, as evidenced in its constitutional and legislative reforms and the human rights institutions it had established.

64. Angola welcomed the laws introduced by the State under review and the ratification of international instruments in order to promote and protect human rights. It acknowledged the efforts for peace, namely the signature of the Addis Ababa Agreement.

65. Argentina was concerned by the human rights situation in the State under review. It noted actions taken and challenges with respect to the organization and functioning of courts and its cooperation with the International Criminal Court.

66. Australia commended the progress achieved in ending the recruitment of child soldiers, but remained concerned by the prevalence of child labour and the level of sexual and gender violence.

67. Austria encouraged the Democratic Republic of the Congo to continue its fight against impunity. It welcomed the 2012 plan of action to combat recruitment of child soldiers. It noted with concern that journalists and civil society activists had been killed in order to silence them.

68. Bangladesh acknowledged the developments made in the promotion and protection of human rights, including, inter alia, the establishment of the NHRC, and the adoption of the Child Protection Code and the decree ordering the demobilization of child soldiers.

69. Belgium welcomed the Government's efforts to combat sexual violence and the recruitment and use of child soldiers. It remained deeply concerned by the high incidence of gender-based violence.

70. Benin commended efforts made in the implementation of recommendations from the first review, notably the adoption of a strategy and operationalization of the National Agency to Combat Violence against Women and Girls, the establishment of the NHRC and the provision of free primary education.

71. Replying to the questions asked, the delegation of the Democratic Republic of the Congo indicated that the National Assembly was responsible for appointing the members of the National Human Rights Commission. The delay in the appointment process was due not only to the National Assembly but also to the participation of NGOs, given that they had to elect their representatives to the Commission. The Government would ensure that the Commission was allocated adequate resources to allow it to function efficiently.

72. Regarding free primary education, the delegation mentioned article 43 of the Constitution, which stipulated that primary education was compulsory and free in public establishments. The Government had committed itself to refurbishing or building 1,000 schools.

73. Regarding sexual violence, the delegation pointed out that the figures cited by certain States were inaccurate and did not match those provided during the high-level panel on sexual violence. The delegation noted that the Prime Minister had considered a draft decree on establishing compensation funds for victims of sexual violence and that any relevant contributions from the international community would be welcome.

74. Regarding the promotion and protection of economic, social and cultural rights, the delegation referred to the President's five priority development areas, the programme to modernize basic infrastructure, the programme to speed up economic growth and the establishment of the Economic and Social Council.

75. Regarding the abolition of the death penalty, the delegation noted that a bill had been submitted to the National Assembly in 2010 and explained that, faced as it was with

the violence of armed conflict, the population was against abolition and that the bill had therefore not been adopted.

76. Regarding the election process, the delegation indicated that the Government was determined to observe the election cycle and that the new institutional framework for the organization of elections would enhance the local elections planned for 2015.

77. Regarding extrajudicial executions and other human rights violations committed by defence and security forces, the delegation indicated that the problem was being addressed as part of the reform of the military and the police through the enactment of laws on the status of military and police personnel. Henceforth, specific criteria would have to be met in order to be recruited into those professions.

78. Botswana commended the country for having taken a number of legislative and institutional reforms since the last review, notably the implementation of laws pertaining to sexual violence and the provision of holistic care to victims.

79. Brazil noted with appreciation advances regarding the fight against impunity related to cases of sexual violence in conflict and specific programmes in the field of social rights.

80. Burkina Faso appreciated the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the enactment of a law criminalizing torture, the prosecution of perpetrators of human rights violations (notably gender-based violence against women), the reform of the penitentiary system, the establishment of juvenile courts and measures to protect children from being recruited.

81. Burundi commended the delegation for the efforts undertaken to implement recommendations for the first review. It encouraged the Government to continue pursuing a free and compulsory primary education policy, and to step up its efforts to improve the functioning of the justice system.

82. Cape Verde welcomed the adoption, inter alia, of a decree for the demobilization of children from the armed forces and the Child Protection Code, as well as the criminalization of charges of child witchcraft, the criminalization of torture and the moratorium on capital punishment.

83. Canada asked what action the Democratic Republic of the Congo proposed to take in response to the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) report on progress made and obstacles encountered in the fight against impunity of gender-based violence.

84. The Central African Republic encouraged the Government to enact a law to promote and protect the rights of indigenous peoples based on the United Nations Declaration on the Rights of Indigenous Peoples.

85. Chad noted with satisfaction that the State under review was a party to the core international human rights instruments and that it took vigorous action to guarantee economic, social and cultural rights.

86. Chile recognized efforts made and encouraged the country to ratify the international instruments listed in the OHCHR report and, in particular, to enact legislation to implement the Rome Statute of the International Criminal Court.

87. China commended action taken since the first review, in particular to alleviate the impact of the armed conflict, such as measures to reduce poverty and increase employment, investment in primary education, health and rural infrastructure, and efforts to eliminate violence against women.

88. The Congo welcomed, inter alia, efforts to provide free primary education and in the area of health, and the adoption of a National Strategy on Combating Sexual and Gender-Based Violence.

89. Costa Rica commended the legislative initiatives taken by the Democratic Republic of the Congo to protect vulnerable groups, and action to prevent human trafficking and violence against women and children. It encouraged the State to strengthen the NHRC.

90. Côte d'Ivoire welcomed measures taken to support the education and health-care sectors, reform of the judicial system with a view to guaranteeing access to justice for all, and action aimed at countering gender-based violence.

91. Croatia welcomed the adoption of the plans of action to combat the recruitment and use of children by the armed forces. It expressed concern with gender-based violence and urged the Government to allocate resources to reduce child mortality.

92. Cuba commended the efforts undertaken to implement recommendations from the first review, notwithstanding the challenges faced. It noted plans for the rehabilitation of school facilities, an increased budget for education and the reduction of poverty.

93. The Czech Republic acknowledged the complex security challenges faced by the Democratic Republic of the Congo. It welcomed the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

94. Djibouti took note of efforts for constitutional and institutional reforms and appreciated the steps being taken to ratify a number of international instruments.

95. Ecuador acknowledged the efforts to implement previous recommendations on education and commended the accession to the Convention on the Rights of Persons with Disabilities and its Optional Protocol and measures to access health care.

96. Ghana commended the accession to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the ratification of the Rome Statute of the International Criminal Court. However, it was concerned by the challenges facing the national judicial system, including the severe shortage of judges.

97. Estonia encouraged the Government to implement the provisions of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, to appoint members to the NHRC and to adopt a bill abolishing the death penalty.

98. Ethiopia commended the process started by the State under review to ratify the Convention on the Rights of Persons with Disabilities, the introduction of free primary education and the adoption of a national strategy to combat sexual and gender-based violence.

99. Finland welcomed the Government's commitment to facilitating access to justice and fighting impunity. It asked how civil society could contribute to the process of establishing specialized mixed chambers in the national judicial system.

100. France welcomed the convening of a high-level panel on sexual violence against women in the Democratic Republic of the Congo, and urged the authorities to redouble their efforts in that regard.

101. Gabon welcomed the priority accorded to education, health, access to safe drinking water and persons with disabilities. It encouraged the country to promote increasingly effective action against sexual violence.

102. Germany expressed concern about the overall human rights situation in the Democratic Republic of the Congo, despite progress achieved. It emphasized that accountability was of the utmost importance for victims and for restoring stability.

103. Iraq commended action to update the legislative and judicial systems by enacting human rights laws and regulations. It also commended efforts to eradicate violence against women and children by prosecuting the perpetrators.

104. Guatemala welcomed the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities and its Optional Protocol. It shared the concern of the Committee on Economic, Social and Cultural Rights about the killing of persons with albinism and the use of their organs for witchcraft ceremonies. It acknowledged improvements.

105. Hungary encouraged the authorities to provide the necessary financial and logistic support to the NHRC. It deplored the number of victims of sexual violence and that free education was not guaranteed.

106. Indonesia welcomed the ratification of several treaties and the establishment of the Independent National Electoral Commission and the National Agency to Combat Violence against Women and Girls. It considered that priority should be given to addressing sexual and gender-based violence.

107. Egypt commended the new policies and legislative changes aimed at advancing human rights and welcomed the establishment of the NHRC.

108. Ireland expressed grave concern about sexual and gender-based violence and impunity for such crimes. It encouraged the State under review to continue to implement the Addis Ababa Agreement. Ireland was also concerned by high under-5 mortality.

109. Israel welcomed the signing of peace declarations and hoped that the Government would continue to oppose the ongoing violence perpetrated by rebels against civilians. It underlined the importance of strengthening accountability mechanisms.

110. Italy asked whether any measures were envisaged to protect the human rights of the most vulnerable, including allocating budgetary and human resources to address the situation of women victims of sexual violence, abandoned children and detainees held in harsh conditions.

111. Japan was concerned by sexual violence, children forced labour and trafficking. It called for the eradication of impunity and urged the establishment of an independent judicial system. It encouraged the development of effective mechanisms to protect and provide relief for internally displaced persons.

112. Latvia noted the establishment of the NHRC and the adoption of the plan of action to combat child recruitment, but remained concerned by violence against women and children. It encouraged efforts to bring national policies and legislation into line with relevant international instruments.

113. Lesotho commended the country on establishing the NHRC, developing the National Strategy on Combating Sexual and Gender-Based Violence and enacting the Child Protection Code.

114. Libya welcomed the establishment of the NHRC, the development of a national education strategy providing for free primary education and the adoption of a National Strategy on Combating Sexual and Gender-Based Violence.

115. Lithuania remained concerned by the magnitude of sexual violence and its use as a weapon of war, the recruitment and use of children by armed forces and groups, and the

lack of implementation of the Government's commitment made during the first UPR to abolish the death penalty.

116. Luxembourg welcomed measures to end the recruitment and use of child soldiers and the establishment of the NHRC, and encouraged targeted and sustainable action in those areas. It remained concerned by sexual violence and ongoing impunity.

117. Madagascar encouraged continued efforts to eradicate sexual violence. It urged the Democratic Republic of the Congo to ratify the international treaties recommended during the first UPR.

118. Malaysia recognized the numerous challenges hindering the advancement of human rights due to the armed conflict, but encouraged the Government to continue efforts to improve the situation.

119. Mali welcomed initiatives to protect children and promote gender equality. It encouraged the Government to step up efforts to promote and protect the rights of all persons living in the country.

120. Mauritania noted the accession to the Treaty on the Harmonization of Business Law in Africa, the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

121. Mauritius commended the strengthening of the legislative and institutional framework for human rights and measures taken to step up efforts to combat sexual and gender-based violence and to protect women and children from violence.

122. Mexico was concerned by the significant number of children stigmatized for witchcraft. It urged the State under review to take steps to raise public awareness of the Convention on the Rights of the Child and to eliminate this scourge.

123. Montenegro commended efforts to address violence against women, including adopting a national strategy and establishing a national agency. It asked whether additional steps would be taken to address sexual violence and assist victims.

124. Morocco supported the political reforms by the State under review and its ongoing efforts to ensure human rights, despite constraints. It welcomed action taken in the areas of freedom of expression and information and education.

125. Mozambique commended steps taken to combat sexual violence, but was concerned that efforts had not reached all parts of the country. It encouraged the implementation of the remaining recommendations of the first UPR cycle.

126. Rwanda appreciated that the report had been prepared with the full participation of civil society. It welcomed ongoing efforts to promote and protect human rights, as reflected in the adoption of new legislation.

127. Switzerland was concerned by the lack of progress in combating sexual violence and violence against human rights defenders, and by widespread corruption and impunity within the judiciary. It stressed the importance of cooperation with the International Criminal Court.

128. Romania acknowledged developments since the last UPR, but remained concerned by the lack of progress in key human rights. It hoped to see further sustained efforts to promote and protect all fundamental rights and freedoms.

129. Returning to the issue of sexual violence, the delegation of the Democratic Republic of the Congo stressed that the country's national statistics showed that 40,000 women had been raped in the country, and not the 400,000 mentioned by some delegations.

130. Regarding the internally displaced, the delegation said that the Government was striving to achieve their return, repatriation and reintegration.

131. On enhancing the business environment, the delegation stated that setting up businesses and promoting entrepreneurship were at the heart of the Government's efforts.

132. In conclusion, the delegation emphasized that the Government was aware of its responsibility towards its citizens to improve the human rights situation and that it would continue its efforts until all forms of discrimination and violence were eradicated.

II. Conclusions and/or recommendations**

133. **The recommendations formulated during the interactive dialogue/listed below enjoy the support of the Democratic Republic of the Congo:**

133.1 **Take necessary steps to ratify or accede to major international human rights instruments which are still outstanding (Lesotho);**

133.2 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CPED) (Tunisia);**

133.3 **Ratify CPED (France);**

133.4 **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

133.5 **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW) (Portugal);**

133.6 **Consider ratifying OP-CEDAW (Paraguay);**

133.7 **Consider adhering to the Convention relating to the Status of Stateless Persons (Nicaragua);**

133.8 **Adopt legislation in accordance with the Rome Statute of the International Criminal Court and have a thorough discussion in Parliament on the establishment of mixed chambers, in order to guarantee fair trials for those who have committed crimes against humanity (Netherlands);**

133.9 **Adopt provisions prohibiting polygamy, early marriages, female genital mutilation and levirate (Israel);**

133.10 **Fulfil its commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region to comprehensively fight against all armed groups, in particular the Forces démocratiques de libération du Rwanda (Rwanda);**

133.11 **Provide more resources and intensify implementation of programmes that would better ensure protection of women and children from abuse and violence (Philippines);**

133.12 **Ensure sufficient resources so that the National Human Rights Commission (NHRC) can fully carry out its mandate (Republic of Korea);**

133.13 **Attend to the appointment of members of the NHRC to enable it to commence its work (Zimbabwe);**

** The conclusions and recommendations have not been edited.

133.14 **Facilitate shortly the visit of the Special Rapporteur on the situation of human rights defenders (Uruguay);**

133.15 **Increase efforts to prevent and punish episodes of extrajudicial executions and illegal or arbitrary detentions (Italy);**

133.16 **Pursue the reforms in the penitentiary system with a view to ending overpopulation in prisons (Djibouti);**

133.17 **Increase medical, judicial, psychological and socioeconomic support to victims of sexual violence (Lithuania);**

133.18 **Ensure access to justice and full reparation for victims and survivors (Lithuania);**

133.19 **Strengthen the capacities of the judiciary, including by increasing the personnel and improving its working conditions (Luxembourg);**

133.20 **Implement recommendations of the 2011 international election observation missions with special emphasis on the enhancement of equal participation of women in political life (Czech Republic);**

133.21 **Respect and promote the democratic principle of the right to participate in public and political life without discrimination, so that everyone can pursue their activities freely and without fear of intimidation (Germany);**

133.22 **Continue to prioritize delivery of basic social services, such as primary education and health, giving particular attention to increasing access, improving infrastructure and curbing discriminatory practices, including in rural areas (Philippines);**

133.23 **Ensure allocations for the implementation of the Government's poverty reduction strategy and ensure that international development aid is utilized for the realization of the right to an adequate standard of living (South Africa);**

133.24 **Make economic, social and cultural rights a first priority, which means allocating sufficient resources (Germany);**

133.25 **Continue the current efforts to finalize the process of adoption of a social security code and the establishment of a sustainable social security system (Egypt);**

133.26 **Improve access for women and girls to basic health-care services (Malaysia);**

133.27 **Establish a programme of medical, psychological and social assistance for teenage mothers and develop a support network for young women to continue their studies (Mexico).**

134. **The following recommendations enjoy the support of the Democratic Republic of the Congo which considers that they are already implemented or in the process of implementation:**

134.1 **Ratify the Convention on the Rights of Persons with Disabilities (CRPD) (Poland);**

134.2 **Ratify CRPD (France);**

134.3 **Consider ratifying CRPD (Paraguay);**

134.4 **Ratify CRPD (Tunisia);**

134.5 Implement the Rome Statute of the International Criminal Court into domestic law, as recommended previously (Australia);

134.6 Implement the Rome Statute of the International Criminal Court in law and practice (Botswana);

134.7 Fully align its national legislation with the Rome Statute, including by incorporating provisions to cooperate promptly and fully with the International Criminal Court and to investigate and prosecute individuals found guilty of genocide, crimes against humanity and war crimes effectively before its national courts (Estonia);

134.8 Adopt national legislation implementing the Rome Statute (Finland);

134.9 Take necessary measures to combat impunity, by incorporating the Rome Statute into domestic legislation (France);

134.10 Align its national legislation with all obligations under the Rome Statute, including by incorporating the provisions enabling cooperation with the Court (Latvia);

134.11 Incorporate expeditiously in domestic law the Rome Statute, to which the Democratic Republic of the Congo is party (Luxembourg);

134.12 Fully cooperate with the International Criminal Court for all open cases, especially for the execution of arrest warrants issued by the Court (Switzerland);

134.13 Conclude quickly the alignment of its domestic legislation with the provisions of the Rome Statute (Tunisia);

134.14 Adopt legislation for the implementation of the Rome Statute of the International Criminal Court (Paraguay);

134.15 Fully implement the Rome Statute of the International Criminal Court (Poland);

134.16 Strengthen measures to protect women victims of rape during conflict, by integrating these measures in legislation (Madagascar);

134.17 Revise the Family Law to ensure gender equality (Norway);

134.18 Adopt provisions prohibiting polygamy, early marriage and female genital mutilation (Poland);

134.19 Withdraw the discriminatory provisions contained in their Family Code and adopt the draft law on gender equality (Israel);

134.20 Accelerate its efforts to establish the national human rights institution in line with the Paris Principles (Tunisia);

134.21 Complete the nomination of members of the NHRC with a view to render it operational, if not done so yet (Niger);

134.22 Operationalize the NHRC and strengthen its capabilities in the technical, human and financial fields for better protection of human rights (Morocco);

134.23 Continue efforts for the establishment of a national human rights institution with an "A" status in conformity with the Paris Principles (Portugal);

134.24 Establish a national human rights commission, provide it with necessary resources for its proper functioning and ensure its conformity with the Paris Principles (France);

134.25 Speed up its efforts to ensure the functioning of the Commission in accordance with the Paris Principles on national human rights institutions (Indonesia);

134.26 Ensure that human rights defenders can exercise their rights without interference and ensure the effective establishment of the NHRC (Switzerland);

134.27 Implement article 3 of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) and immediately establish an independent national mechanism for the prevention of torture with the mandate to visit all places of detention (Czech Republic);

134.28 Continue working towards the establishment of a national mechanism for the prevention of torture (Guatemala);

134.29 Establish a national preventive mechanism to prevent torture (South Sudan);

134.30 Establish the national mechanism for the prevention of torture under OP-CAT and appoint an independent and qualified expert, provided with necessary resources to exercise its mandate (Uruguay);

134.31 Establish a national agency aimed at preventing sexual and gender-based violence and at ensuring access to justice for these victims (Netherlands);

134.32 Continue its reforms to improve policies and programmes towards promotion and protection of all human rights (Lesotho);

134.33 Further improve and implement the relevant laws and policies to better protect the rights of women and children (China);

134.34 Step up efforts on gender promotion, the protection of children's rights and the fight against acts of sexual violence as envisaged in the national strategy in this regard (Niger);

134.35 Strengthen its protection for vulnerable groups, particularly women, children, persons with disabilities, the elderly and ethnic minorities, and adopt corresponding national legislation on the protection of those vulnerable groups (Russian Federation);

134.36 Strengthen measures to protect vulnerable persons (Senegal);

134.37 Ensure implementation of new measures to improve the business and investment climate in the country (South Africa);

134.38 Continue promoting a dialogue and national reconciliation to achieve peace and move towards the development of country (Nicaragua);

134.39 Extend its sovereign jurisdiction to the protection of the people of the country and take concrete steps to eliminate all negative forces operating in the eastern part of the country (Uganda);

134.40 Pursue ongoing efforts and negotiations that have as an objective to end the recurring armed conflicts in the eastern province of the country (Côte d'Ivoire);

134.41 Actively pursue its cooperation with United Nations mechanisms and the international community to restore security and establish the rule of law (Japan);

134.42 Cooperate with the International Criminal Court (Uruguay);

134.43 Collaborate with the special procedures mandate holders (Chad);

134.44 Strengthen its cooperation with the special procedures of Human Rights Council by responding positively to pending visit requests (Latvia);

134.45 Undertake activities to eliminate stereotypes, identifying the obstacles that hinder women from taking up their rightful place in society (the former Yugoslav Republic of Macedonia);

134.46 Strengthen the implementation of measures and provisions to eradicate all forms of discrimination and violence against women and girls (Chile);

134.47 Combat all forms of discrimination against persons with albinism (Guatemala);

134.48 Take all measures necessary to ensure the implementation of the Plan of Action, including the provision on birth registration (also late birth registration) free of charge, effective implementation of the free and compulsory primary education policy and access to basic health-care services (Slovenia);

134.49 Adopt measures to prevent the possibility of extrajudicial executions and to fully prevent the use of torture by State Security Forces (Spain);

134.50 Investigate all cases of torture and ill-treatment in detention, as recommended previously (Austria);

134.51 Try all perpetrators of torture, regardless of rank (Australia);

134.52 Take necessary measures to prevent any threat against human rights defenders and ensure their effective protection (Spain);

134.53 Adopt as soon as possible the law protecting human rights defenders (Sweden);

134.54 Take adequate measures for better protecting human rights defenders and journalists (Djibouti);

134.55 Establish a training programme for penitentiary, judicial and security personnel to ensure its consistent application (State of Palestine);

134.56 Make further efforts to improve the penitentiary system (Russian Federation);

134.57 Enact specific legislation to eradicate all sexual gender-based incidents of violence and punish the perpetrators of sexual violence (Namibia);

134.58 Strictly enforce the 2006 law on sexual violence and its zero tolerance policy (Norway);

134.59 Take more effective measures to combat incidents of sexual violence and intensify efforts to implement its reintegration and rehabilitation policies for victims of gender-based violence (Sierra Leone);

134.60 Take adequate measures to reduce and eradicate incidents of sexual gender-based violence committed by armed elements and establish and strengthen accountability mechanisms (Slovenia);

134.61 Continue its efforts to eradicate violence against women and children and continue implementing the national strategy to fight against sexual violence in order to eliminate this phenomenon (Sudan);

134.62 Double its efforts in its fight against sexual violence against women and girls (the former Yugoslav Republic of Macedonia);

134.63 Intensify the efforts to combat effectively violence against women and girls and prosecute perpetrators (Togo);

134.64 Ensure that perpetrators of crimes of sexual violence are consistently brought to justice, and guarantee the protection of witnesses and survivors (United Kingdom of Great Britain and Northern Ireland);

134.65 Continue efforts towards the elimination of violence against women in all conflict areas, female genital mutilation and early and forced marriage (Paraguay);

134.66 Continue to combat human trafficking and violence against children and women (Timor-Leste);

134.67 Strengthen legal and policy frameworks, programmes and coordination measures to address child labour and sexual exploitation of children (Namibia);

134.68 Improve training of security forces with regard to combating sexual violence against women and girls and ensure accountability of perpetrators (Austria);

134.69 Strengthen the implementation of the National Strategy against Sexual and Gender-Based Violence by accelerating the judicial system and security sector reform, in order to improve access to justice, protect the population and guarantee the right to the security of persons (Canada);

134.70 Implement a zero tolerance policy to eradicate all forms of sexual and domestic violence against women (Costa Rica);

134.71 Investigate and prosecute all perpetrators of serious human rights abuses, especially acts of rape and sexual violence, regardless of their rank and affiliation (Croatia);

134.72 Develop appropriate mechanisms to prevent all forms of violence against women, effectively prosecute perpetrators of such violence and provide adequate redress for victims (Slovakia);

134.73 Implement the July 2013 recommendations of the Committee on the Elimination of Discrimination against Women, focusing on the recommendations under paragraph 10 and, inter alia, investigate violations of women's rights committed by Congolese security forces and armed groups and ensure access to justice for all women affected by sexual violence during the conflict (Czech Republic);

134.74 Create a framework for the socioeconomic rehabilitation and reintegration of women victims of sexual violence in the regions affected by the conflict (Djibouti);

134.75 Intensify the fight against sexual violence and the prosecution and punishment of those responsible (Senegal);

134.76 Strengthen the efforts aimed at fighting against violence and sexual slavery and at providing medical, legal, psychological and socioeconomic assistance to victims (Ecuador);

134.77 Investigate, prosecute and punish systematically all cases of sexual violence against girls and women, organize awareness-raising campaigns on the subject of sexual violence and put in place a national hotline (Hungary);

134.78 Exert more efforts to provide care to victims of sexual violence in collaboration and assistance with its partners and the international community (South Sudan);

134.79 Continue its efforts to address sexual and gender-based violence, in particular by developing effective mechanisms to prevent violence against women and girls (Indonesia);

134.80 Continue its efforts to eliminate gender-based violence and enhance public security (Singapore);

134.81 Investigate, prosecute and take all adequate measures to reduce and eradicate incidents of sexual gender-based violence committed by armed elements (Israel);

134.82 Strengthen the ability to prevent and combat the impunity that often surrounds sexual violence, first of all by prosecuting and bringing to justice those responsible for these crimes (Italy);

134.83 Continue its efforts to implement the national strategy of November 2009 to combat sexual violence and fulfil its action plan, which includes the fight against impunity, the protection of victims and security sector reform (Libya);

134.84 Increase the protection of victims of sexual violence by providing them with the necessary support to facilitate their psychological and physical rehabilitation (Luxembourg);

134.85 Continue implementing effectively the 2006 law on sexual violence and the zero tolerance policy (Madagascar);

134.86 Adopt additional measures aimed at providing assistance for victims of sexual violence and combating this scourge (Argentina);

134.87 Strengthen without delay the measures to fight against sexual violence and amplify efforts to ensure gender equality and women's participation in peacebuilding, as recommended previously (Switzerland);

134.88 Continue the efforts for the protection of children and the elimination of violence against them (Algeria);

134.89 Accelerate the implementation of legislation prohibiting the worst forms of child labour (Madagascar);

134.90 Take all measures to eliminate child labour and illegal mining (Australia);

134.91 Intensify the fight against the exploitation of children in all its forms (Cape Verde);

134.92 Prevent and eradicate child labour through a national strategy (Chile);

134.93 **Ensure the elimination of the sale and trafficking of children for sexual exploitation (Egypt);**

134.94 **Take immediate measures in order to comply fully with the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC) (Lithuania);**

134.95 **Adopt additional measures within the Action Plan to fight against forced recruitment of children aimed at the prevention, protection and social reintegration of such minors (Spain);**

134.96 **Step up the efforts to ensure the non-recruitment and demobilization of child soldiers (Togo);**

134.97 **Develop and implement a new disarmament, demobilization and reintegration programme for dealing with armed groups, ensuring that former combatants are given realistic opportunities to reintegrate into the community and that children involved with armed groups are treated in line with international law (United Kingdom of Great Britain and Northern Ireland);**

134.98 **Continue to work to ensure full implementation of Security Council resolutions 1325 and 2122 on women, peace and security, including by increasing the active and equal participation of women in peacebuilding initiatives and decision-making processes at all levels (Ireland);**

134.99 **Ensure that children captured by the Forces armées de la République démocratique du Congo are treated primarily as victims, that they have access to justice and that their reintegration into their communities is facilitated (Austria);**

134.100 **Further strengthen specific plans for the demobilization of children and their social reintegration (Brazil);**

134.101 **Ensure that as part of the national disarmament, demobilization and targeted reintegration programme, special attention is given to the rights of women and children, particularly to prevent repeated recruitment by armed groups and to ensure that they can enjoy their fundamental rights (Canada);**

134.102 **Ensure that the national legislation enables the establishment and exercise of jurisdiction on war crimes related to conscription, recruitment and use of children in armed conflict (Costa Rica);**

134.103 **Continue the actions aimed at duly implementing the Action Plan to fight against the recruitment and use of children and other serious violations of the rights of the child by the armed forces and security services of 2012, and of the National Action Plan against the worst forms of child labour of 2011 (Ecuador);**

134.104 **Fully implement the plan of action to combat the recruitment and use of child soldiers (Germany);**

134.105 **Implement the Action Plan to end the recruitment and use of children, signed at the United Nations in 2012 (Lithuania);**

134.106 **Install a vetting mechanism to remove persons responsible for serious human rights and child rights violations from the security forces (Austria);**

134.107 **Take further steps to strengthen the independence of the judiciary, including by allocating sufficient resources and adequate training to judges and prosecutors (Thailand);**

134.108 Create a strong, independent judiciary by training more judges, prosecutors and court clerks and establishing mixed chambers (United States of America);

134.109 Seek assistance to increase the number and scope of its magistrate courts to address the many legal problems it faces (Sierra Leone);

134.110 Concentrate efforts to establish an independent, efficient, responsible and properly resourced judicial system (Chile);

134.111 Pursue judicial reform to improve access to justice by promoting a better geographical coverage and upgrading the prison administration (Morocco);

134.112 Take the necessary measures to ensure the independence of the judiciary and create specialized mixed chambers in support of judgements of crimes under international law (Switzerland);

134.113 Continue activities aimed at strengthening the judiciary and promoting access to justice, including through expanding the provision of free legal aid to victims of sexual violence, training members of the judiciary to fight against sexual violence and promoting awareness against the stigmatization of victims (Brazil);

134.114 Take measures to complete the reforms in the judicial system and in the defence and security sectors (Djibouti);

134.115 Give priority attention to addressing the challenges faced by the national judicial system, including implementing the zero tolerance policy for perpetrators of violations of international human rights and humanitarian laws in the Democratic Republic of the Congo (Ghana);

134.116 Provide gender-sensitive human rights education to all police and military, and try all perpetrators of sexual and gender-based violence, regardless of rank (Australia);

134.117 Continue strengthening the judicial system in order to put a real end to impunity for human rights violations (Republic of Korea);

134.118 Pursue its efforts to improve its justice system and its commitment to fight against impunity (Timor-Leste);

134.119 Hold accountable security forces who commit human rights violations, including those involving child soldier recruitment and sexual violence (United States of America);

134.120 Continue the efforts to attain the respect for the rights and fundamental freedoms of the entire population, and adopt all necessary measures to guarantee the fight against impunity of perpetrators of crimes, acts of violence and all human rights violations (Argentina);

134.121 Investigate, prosecute and punish all cases of summary and extrajudicial executions, and provide adequate compensation to victims (Chile);

134.122 Take necessary measures to ensure that individuals suspected of committing crimes under international law and other serious human rights violations are thoroughly investigated and brought to justice (Botswana);

134.123 Ensure that civilian officials or military personnel implicated in providing support to foreign or Congolese armed groups responsible for crimes

against humanity are suspended from their positions, investigated and appropriately prosecuted (Croatia);

134.124 **Strengthen efforts to enhance the capacities of law enforcement agencies and judicial organs (Ethiopia);**

134.125 **Engage firmly against sexual violence, ensure the right of victims to obtain justice and redress, combat persistent impunity and strengthen the capacities of the national agency fighting against sexual violence (France);**

134.126 **Improve support to victims of sexual violence and facilitate their access to justice, notably by simplifying the administration of justice and their access to medical and psychosocial care (Belgium);**

134.127 **Adopt specific additional measures to strengthen the fight against impunity with regard to cases of sexual violence against women and provide greater care for victims (Spain);**

134.128 **Strengthen the capacities of judicial institutions in order to bring those responsible for sexual violence to justice (Lithuania);**

134.129 **Take all necessary measures to facilitate access for victims to justice and ensure that they obtain redress (Luxembourg);**

134.130 **Strictly enforce relevant laws, with equal emphasis on care and rehabilitation, and prosecute those responsible in order to provide meaningful results and ensure the protection of women and children, especially in the eastern part of the country (Thailand);**

134.131 **Take all necessary steps to ensure freedom of the media and duly address all cases of restrictions on the media (Slovakia);**

134.132 **Assure transparent and credible elections by ensuring freedom of peaceful assembly and expression for all persons, including members of political parties, candidates and members of the press (United States of America);**

134.133 **Bring all perpetrators of violence against journalists and human rights defenders to justice and ensure that journalists and human rights activists are able to pursue their activities, including by expressing criticism of government policies, without intimidation and harassment (Austria);**

134.134 **Ensure that the freedoms of expression and peaceful assembly are respected in conformity with international standards and that members of political parties, journalists and human rights activists are able to exercise their activities and to criticize the Government without being subject to intimidation, reprisals or harassment (Belgium);**

134.135 **Enhance the engagement towards increasing the role of civil society, especially by widening the space for political debate and ensuring the right of human rights defenders, opposition parties and journalists to freely carry out their activities (Italy);**

134.136 **Ensure that the rights to freedom of expression and peaceful assembly are respected and all citizens, including journalists and human rights defenders, are able to pursue their activities without intimidation (Romania);**

134.137 **Revise the election law to guarantee a 30 per cent representation of women on electoral lists, as this would be positive step towards equality (Norway);**

134.138 **Continue the promotion of economic and social development, and maintain domestic peace and stability to provide a solid basis for the protection and promotion of human rights (China);**

134.139 **Continue its efforts to improve the public health and education systems, as a mean to reduce poverty and to advance in the economic and social development of the country (Cuba);**

134.140 **Continue making progress on the fight against poverty, with the appropriate social policies for its people, in particular for those most in need, with the cooperation and technical assistance that the country requires (Venezuela (Bolivarian Republic of));**

134.141 **Continue to take measures to eradicate poverty and to ensure better access to education and health care (Morocco);**

134.142 **Pursue and deploy in the whole territory the programmes and projects for the development of rural infrastructure, in particular those aimed at guaranteeing access to drinking water (Côte d'Ivoire);**

134.143 **Ensure the effective implementation of the national strategy to combat maternal and infant mortality and to increase access for women and girls to basic health-care services (Egypt);**

134.144 **Ensure the effective implementation of the national strategy on maternal and child mortality, including through addressing root causes of under-5 mortality, such as poverty, undernutrition, harmful practices, and lack of access to safe drinking water, health-care services and education (Ireland);**

134.145 **Continue, in cooperation with the relevant international organizations, to improve access to quality health care for all its people (Singapore);**

134.146 **Implement policies to ensure free education throughout the country (Namibia);**

134.147 **Continue allocating adequate funding for education to increase the number of schools and teachers, improve the quality of teaching and school infrastructure and ensure equal access of girls to all levels of education (State of Palestine);**

134.148 **Enhance efforts to provide free quality education in all parts of the country (Sudan);**

134.149 **Ensure the effective implementation of free primary education throughout the country (Timor-Leste);**

134.150 **Strengthen measures to progressively ensure free primary education (Ethiopia);**

134.151 **Allocate at least 25 per cent of the national budget for education and eliminate all discretional fees in order to ensure free primary education for all children (Hungary);**

134.152 **Consider adopting legal provisions to ensure that primary education is free and compulsory for all children without discrimination (Egypt);**

134.153 **Extend the free primary education policy throughout the country (Zimbabwe);**

134.154 Ensure adequate funding for education to increase the number of schools and teachers and ensure equal access of girls to all levels of education (South Africa);

134.155 Continue its efforts to include awareness of human rights within the school curricula (Libya);

134.156 Continue its efforts to provide free primary education for all throughout the country (Malaysia);

134.157 Allocate adequate funding to improve its education system (Malaysia);

134.158 Continue the implementation of the strategic plan for the development of literacy and non-formal education 2012–2016 (Algeria);

134.159 Ensure that primary education is free and of quality and contains special programmes for the local population, including Pygmies (Mexico);

134.160 Pay particular attention to indigenous Pygmy peoples, in order to guarantee their access to land and natural resources (Benin);

134.161 Continue working towards the recognition of indigenous peoples at the national level (Guatemala);

134.162 Ensure land rights of indigenous communities within protected natural parks, in particular Pygmies. Likewise harmonize projects of greenhouse gas reduction, deforestation reduction and forest degradation in line with the United Nations Declaration on the Rights of Indigenous Peoples (Mexico);

134.163 Put in place adequate measures to protect civilians, in particular innocent women and children, in any situation of armed violence, and to create the necessary conditions to abate the present situation of the millions of internally displaced persons (Ghana).

135. The following recommendations will be examined by the Democratic Republic of the Congo which will provide responses in due time, but no later than the twenty-seventh session of the Human Rights Council in September 2014:

135.1 Ensure that all persons, including members of the national army, the police and intelligence service, who are suspected of having committed crimes of international law and other grave human rights violations, are brought before the courts in fair trials that do not lead to the death penalty (Belgium).

136. The recommendations below did not enjoy the support of the Democratic Republic of the Congo and would thus be noted:

136.1 Consider the ratification of CPED and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Cape Verde);

136.2 Consider ratifying ICRMW (Ghana);

136.3 Take appropriate steps to ratify various international treaties including the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP-2) and OP-CEDAW (Romania);

136.4 Abolish the death penalty in law and ratify ICCPR-OP-2 (France);

136.5 **Remove the death penalty from its criminal statutes and ratify ICCPR-OP-2 (Australia);**

136.6 **Abolish the death penalty and ratify ICCPR-OP-2 (Germany);**

136.7 **Ratify ICCPR-OP-2 and provide for the de jure abolition of the death penalty (Hungary);**

136.8 **Abolish the death penalty and sign and ratify ICCPR-OP-2 (Portugal);**[1]

136.9 **Ratify the OP-CRC-AC (Portugal);**

136.10 **Become a party to the UNESCO Convention against Discrimination in Education (Chad);**

136.11 **Ratify the UNESCO Convention against Discrimination in Education (Tunisia);**

136.12 **Undertake constitutional and legislative reforms aimed at the full abolition of the death penalty (Spain);**

136.13 **Amend the Criminal Code as to abolish the death penalty (the former Yugoslav Republic of Macedonia);**

136.14 **Adopt a law abolishing the death penalty (Togo);**

136.15 **Adopt a law to abolish the death penalty (Benin);**

136.16 **Ensure the implementation of an official moratorium on all executions, commuting death penalty sentences by imprisonment periods, with a view to the definitive abolition of the death penalty (Uruguay);**

136.17 **Take all necessary measures to implement the commitment to abolish the death penalty (Argentina);**

136.18 **Take again into consideration the possibility to soon abolish the de jure death penalty (Italy);**

136.19 **Intensify its efforts to establish an official moratorium on the use of the death penalty with a view to abolishing it, and in the meantime immediately remove all provisions on national laws which are in breach of international human rights law (Lithuania);**

136.20 **Adopt a law abolishing the death penalty (Montenegro);**

136.21 **Abolish the death penalty in order to allow abolitionist countries to consider the possibility of extraditing persons suspected of having committed crimes in the Democratic Republic of the Congo (Rwanda);**

136.22 **Ensure the speedy adoption of the law on protection of human rights defenders by the Parliament and its immediate and effective implementation (Czech Republic);**

136.23 **Adopt a law on the protection of human rights defenders (Mali);**

136.24 **Combat violations and violence against human rights defenders, particularly by adopting a law protecting them (France);**

[1] The text of the recommendation as read during the interactive dialogue: "Abolish the death penalty and sign and ratify the two Optional Protocols to the ICCPR (Portugal)."

136.25 **Adopt urgently legislation for complementarity with the Rome Statute and provide means for implementation (Sweden);**

136.26 **Ensure its domestic legislation establishes universal jurisdiction over war crimes, especially with regard to the use of children in hostilities and sexual violence, including rape (Sierra Leone);**

136.27 **Enhance engagement with regional and international partners to gather support, as it may deem necessary, for building structural and operational capacities and augmenting existing human rights mechanisms (Philippines);**

136.28 **Request the international community assist the Democratic Republic of the Congo in strengthening the operational capacities of its provincial human rights divisions within the country (Uganda);**

136.29 **Strengthen its cooperation with the United Nations, through a standing invitation to all special procedures of the Human Rights Council and by submitting reports due on the application of international human rights instruments that the country is part of (Portugal);**

136.30 **Issue an open invitation to the United Nations special mechanisms (Uruguay);**

136.31 **Issue an open invitation to Special Procedures (Guatemala);**

136.32 **Eventually consider extending a standing invitation to all special procedures mandate holders (Latvia);**

136.33 **Formalize its acceptance of the special procedures by issuing a standing invitation to all special procedures (Montenegro);**

136.34 **Fully cooperate with the Human Rights Council Independent Expert on technical cooperation and advisory services in the Democratic Republic of the Congo (the former Yugoslav Republic of Macedonia);**

136.35 **Establish — with the involvement of the Congolese civil society and the support of the international community in the process — independent and impartial specialized mixed chambers within the national judicial system to address crimes committed under international law and other serious human rights violations (Finland);**

136.36 **Investigate without delay allegations of arbitrary detention of journalists, activists and political opponents and report before the holding of the local elections (Canada);**

136.37 **Free all persons arrested as a result of their political opinion or because they took part in peaceful demonstrations, and ensure that charges against them are dismissed (Belgium);**

136.38 **Ensure the full enjoyment of freedom of expression and of the press by removing all of the restrictions imposed, including by decriminalizing defamation, in accordance with its obligations under ICCPR and its commitment taken during the previous review (Estonia).**

137. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[*English/French only*]

Composition of the delegation

The delegation of the Democratic Republic of the Congo was headed by H.E. Ms. Mumba Matipa Wivine, Minister of Justice and Human Rights, and composed of the following members:

- S.E. Mme Mumba Matipa Wivine, Ministre de la justice et droits humains, Chef de la délégation;
- Mme Bandui Samene Thembela Joséphine, Secrétaire général aux droits humains;
- M. Mutomb Mujing Sébastien, Ministre conseiller et chargé d'affaires a.i, Mission RDC-Genève;
- M. Mwilanya Wilondja Néhémie, Conseiller juridique principal du Chef de l'État;
- M. Manaswala Lobsang Serge, Chargé d'études au Cabinet du Premier Ministre de la RDC;
- M. Lukunda Vakala-Mfumu Richard, Directeur de Cabinet, Ministère du genre, famille et enfant;
- Mme Kenda Bakajika Annie, Directrice des services juridiques au Ministère du genre, famille et enfant;
- Mme Ambu Sibela Fatou, Chargée d'études à la CEPFE du Ministère du genre, famille et enfant;
- M. Mpinda Munuina Albert, Chef de Division aux droits humains;
- M. Kudura Bin Issa, Conseiller du Ministre de la justice et droits humains;
- M. Ingoli Bolamba Jean-Baptiste, Chef de Division au Secrétariat général des droits humains;
- M. Mutangala Muana Ngongo Jean-Pierre, Conseiller du Ministre de l'enseignement primaire, secondaire et professionnel;
- M. Itumbu Majiko Philippe, Conseiller du Ministre des affaires sociales;
- M. Mukole Kapila, Représentant du Ministère de la défense nationale;
- M. Kisunda-Visi Pedro, Collaborateur extérieur, Mission RDC-Genève.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Côte d'Ivoire

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Contents

		Paragraphs	*Page*
	Introduction	1–4	3
I.	Summary of the proceedings of the review process	5–126	3
	A. Presentation by the State under review	5–21	3
	B. Interactive dialogue and responses by the State under review	22–126	5
II.	Conclusions and/or recommendations	127–130	14
Annex			
	Composition of the delegation		26

Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its nineteenth session from 28 April to 9 May 2014. The review of Côte d'Ivoire was held at the 4th meeting, on 29 April 2014. The delegation of Côte d'Ivoire was headed by Mr. Gnénéma Mamadou Coulibaly. At its 10th meeting, held on 2 May 2014, the Working Group adopted the report on Côte d'Ivoire.

2. On 15 January 2014, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Côte d'Ivoire: Argentina, Botswana and Kuwait.

3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Côte d'Ivoire:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/19/CIV/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/19/CIV/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/19/CIV/3).

4. A list of questions prepared in advance by Belgium, the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Côte d'Ivoire through the troika. Those questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The head of the Ivorian delegation said that his country's national report had been submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21. The report had been prepared by a national universal periodic review team, the inherent difficulties faced by any administration emerging from a crisis notwithstanding. The results obtained had been extensively consolidated and shared with Ivorian civil society.

6. Structured around 13 main points, the Côte d'Ivoire report could be summarized in three themes: the development of the normative and institutional framework; follow-up to and implementation of the recommendations and commitments arising from the universal periodic review; and the expectations of Côte d'Ivoire in terms of capacity-building and technical assistance.

7. Côte d'Ivoire had made efforts to bring its legal provisions into line with international standards. The Ivorian authorities had taken many steps to strengthen the national normative and institutional framework by adopting a number of laws and establishing operational structures.

8. Côte d'Ivoire had adopted the law on the insertion of article 85 bis into title VI of the Constitution and on the International Criminal Court; the law on the establishment, remit, organization and operation of the National Human Rights Commission of Côte d'Ivoire in accordance with the Paris Principles; the law on marriage, whose objective was to create de facto and de jure equality in Ivorian households; the law to amend the Nationality Code in relation to the procedure for acquiring nationality by marriage; particular provisions concerning the acquisition of nationality by declaration; the law on rural landownership; and the bill on sustainable development.

9. Côte d'Ivoire had established several operational structures, including the Commission against Gender-Based Violence, the National Commission for the Family and the National Social Cohesion Programme.

10. In March 2012, Côte d'Ivoire had adopted the National Development Plan, a unifying framework for the implementation of all national development policies, structured around six areas: defence, security, justice and the rule of law; education, health, employment and social affairs; economy, agriculture and the private sector; infrastructure, water, energy and mines; environment, quality of life and habitat, public services; and culture, youth and sport.

11. The national policy for the promotion and protection of human rights, introduced by the Ivorian Government in 2011, was monitored by the Ministry of Justice, Human Rights and Civil Liberties. A bill on the protection of human rights defenders had been drafted in cooperation with civil society and adopted by the Council of Ministers in September 2013.

12. Côte d'Ivoire had made progress by acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness in October 2013; to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict in March 2012; and to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women in January 2012.

13. Côte d'Ivoire had ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in March 2012, and the amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal in September 2013.

14. During the previous universal periodic review, Côte d'Ivoire had received 147 recommendations. It had accepted 108 of them, expressed reservations or observations in relation to 37 and rejected 2. Despite the many crises it had gone through, Côte d'Ivoire had spared no effort in ensuring that it implemented a large proportion of the recommendations.

15. The recommendations regarding the country's political situation and overcoming the crisis had been implemented fully, as was demonstrated by the adoption of the following measures: the organization of elections in the aftermath of the crisis in accordance with the Ouagadougou Agreement, the redeployment of the administration across the entire national territory, the establishment of the Disarmament, Demobilization and Reintegration authority, the establishment of the new National Human Rights Commission in line with the Paris Principles, the creation of the Dialogue, Truth and Reconciliation Commission, the ratification of the Rome Statute and full cooperation with the International Criminal Court, the establishment of a national post-crisis commission of inquiry, the establishment of a special investigation unit, the introduction of human rights and citizenship education into curricula, and the adoption of a national strategy on sustainable development.

16. The recommendations being implemented were primarily related to the progressive realization of economic, social and cultural rights. The Ivorian people welcomed the Government's efforts in many development sectors, such as health, through the

refurbishment, construction and fitting out of health facilities, the provision of free medical care for mothers and children, and specific programmes to combat pandemics (AIDS, tuberculosis, malaria, etc.); education, through the refurbishment of the 5 public universities, the construction and refurbishment of 4,478 primary- and secondary-school classrooms, the recruitment, as an exceptional measure, of 8,000 teachers, the introduction of school canteens and the distribution of 6,880,600 textbooks and 5,762,334 school kits that had enabled more than 90 per cent of students enrolled in primary school to take advantage of free education; and road infrastructure.

17. Ivorians also welcomed the increase in the minimum wage, from 35,000 CFA francs (70 dollars) to 60,000 CFA francs (120 dollars). Similarly, State workers had received a salary increase in January 2014.

18. Côte d'Ivoire was determined to implement the recommendations of the universal periodic review. However, because of a lack of resources, it had not been able to fully implement them given other priorities in the aftermath of the crisis.

19. Côte d'Ivoire was presenting its needs in the area of the promotion and protection of human rights to the whole international community. Countries such as Côte d'Ivoire, emerging from crisis, faced huge difficulties in guaranteeing their citizens full enjoyment of their human rights. For that reason, the United Nations, so as to encourage international solidarity among its members, made available a variety of mechanisms to support requesting States.

20. It was incumbent on States to ensure the promotion and respect of the human rights of their citizens.

21. Côte d'Ivoire, mindful of that fundamental task but also of its current limitations, wished to make a solemn appeal to the entire United Nations system as well as to multilateral and bilateral partners to support its efforts in seven priority areas: peacebuilding; treaty body reports; combating violence against women and improving their living conditions; improving prison policy; adopting a national human rights policy; and working towards national reconciliation.

B. Interactive dialogue and responses by the State under review

22. During the interactive dialogue, 86 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

23. Chile acknowledged the complex political situation that the country had faced since the 2010 elections and noted the work of the Dialogue, Truth and Reconciliation Commission. It also acknowledged the information provided that described the progress made towards restoring the rule of law.

24. China commended Côte d'Ivoire on its National Development Plan. It welcomed the prioritization of poverty eradication and job creation in the context of economic and social development. It noted improvements to primary education and health services and cooperation with international bodies.

25. Comoros praised achievements in the areas of national reconciliation and social cohesion in the light of the crisis sweeping the country, although efforts still needed to be made at political, economic and social levels. It noted the national authorities' concern for prioritizing human rights.

26. The Congo noted the strengthening of legislation and measures to shed light on human rights violations and combat impunity. It called on Côte d'Ivoire to establish a follow-up mechanism for the implementation of recommendations.

27. Costa Rica noted the creation of investigative bodies to fight impunity for human rights violations. It commended the alignment of the National Human Rights Commission with the Paris Principles and urged it to strengthen the Commission.

28. Cuba noted the efforts made to implement previous recommendations, particularly after the instability experienced by the country. The establishment of the National Development Plan had exemplified the political will necessary to advance towards the development of the country and would result in enhanced protection of human rights.

29. The Czech Republic warmly welcomed the delegation.

30. The Democratic Republic of the Congo congratulated Côte d'Ivoire on its efforts to implement the recommendations, despite the difficulties it faced. It noted the reinforcement of the legal framework in order to address numerous human rights violations.

31. Djibouti noted the efforts to improve the human rights situation by establishing social dialogue and national human rights institutions. It welcomed the country's willingness to cooperate with international human rights mechanisms.

32. Egypt noted the thoroughness of the consultations during the preparation of the report, which demonstrated the country's willingness to engage with the human rights system and reflected its commitment to democracy.

33. Estonia hoped for a speedy enactment of the new legislation concerning human rights defenders. While it appreciated the steps taken to improve access to justice, further efforts were needed to combat corruption. It was concerned by the increase in violence against women and children.

34. France commended the cooperation between Côte d'Ivoire and the Human Rights Council. It welcomed the ratification of the Rome Statute of the International Criminal Court and the Convention on the Rights of Persons with Disabilities (CRPD).

35. Gabon praised the cooperation with international procedures and welcomed the ratification of various instruments. It welcomed the measures taken to combat discrimination against women and commended the establishment of the Dialogue, Truth and Reconciliation Commission.

36. Germany commended Côte d'Ivoire on the progress made since the previous UPR cycle. It welcomed the efforts that had contributed to an improvement of the general human rights situation in the country.

37. Ghana commended Côte d'Ivoire on its ratification of the Rome Statute, on the establishment of its Dialogue, Truth and Reconciliation Commission, and on the improvement in the country's security and economic situation.

38. Hungary commended Côte d'Ivoire on its national action plan against domestic and sexual violence but expressed concern at the delayed implementation of the plan. It was concerned that female genital mutilation (FGM) remained a widespread practice, and that millions of children held no birth certificate.

39. Indonesia welcomed developments concerning the normative and institutional human rights framework. It welcomed the establishment of the National Human Rights Commission and the Dialogue, Truth and Reconciliation Commission.

40. Iraq praised the efforts of Côte d'Ivoire since the last report, which illustrated the country's willingness to advance, despite the difficulties it was facing. It welcomed measures to consolidate legislation and create institutions to promote human rights.

41. Ireland noted the ratification of the Rome Statute. While it welcomed the establishment of the two new commissions, it was concerned by the lack of accountability

for serious violations committed during the crisis of 2010. It was concerned by the prevalence of gender-based and sexual violence.

42. Israel appreciated the progress made since the first UPR cycle. It congratulated Côte d'Ivoire on its efforts to rebuild state institutions and on adopting a guidance paper on Ministry of Justice policy. It noted that CEDAW did not have sufficient visibility as a legal basis for eliminating discrimination against women.

43. Italy welcomed the efforts to promote reconciliation in the country. It noted that harmful traditional practices remained customary in the country although they were illegal. It commended the country's commitment to civil society and human rights defenders.

44. Latvia noted the establishment of the National Human Rights Commission and the ratification of the Rome Statute. It was concerned by reports of gender-based violence and violence against children and women and encouraged Côte d'Ivoire to intensify efforts to protect the rights of those groups.

45. Lesotho welcomed the achievements of Côte d'Ivoire in harmonizing domestic legislation with regional and international human rights instruments. It commended the establishment of the National Human Rights Commission, the Office of the Ombudsman and the National Press Council.

46. Libya welcomed the efforts to promote human rights, strengthen national dialogue and foster civil peace and national reconciliation despite major difficulties facing the country. It noted the ratification of several instruments. It welcomed the National Development Plan, which would help build security and stability.

47. Liechtenstein acknowledged the efforts towards long-term improvement of the human rights situation in the country. It was concerned at the lack of comprehensive legislation on violence against women, reports of an increase in gender-based violence, and the continued practice of FGM.

48. Luxembourg welcomed the efforts to improve human rights. Efforts to combat violence against women and girls were insufficient. It was concerned at the lack of attention given to sexual violence and at the persistence of forced marriage and FGM.

49. Madagascar welcomed the implementation of the Ouagadougou Agreement. It also welcomed the various legislative measures to protect human rights, and progress regarding children's rights, reform of the judiciary and the fight against poverty. It encouraged Côte d'Ivoire to increase access to health care for vulnerable groups and to guarantee free education for all.

50. Malaysia noted the efforts regarding women's and children's rights and poverty reduction. It noted Côte d'Ivoire's commitment to resolving the challenges it faced through political dialogue, to furthering the cause of human rights and to restoring the rule of law.

51. Maldives commended the consideration and fulfilment of previous recommendations, and noted the agreement for visits by special procedures as well as the efforts regarding children's rights and the promotion of women's roles. It welcomed the adoption of the bill on human rights defenders.

52. Mali commended the implementation of various previous recommendations and actions to promote national reconciliation, including the social cohesion programme. It noted the country's full cooperation with United Nations bodies and called on the international community to support peacebuilding efforts.

53. Mauritania welcomed the efforts to protect and promote human rights and to uphold the rule of law through the enactment of legislation and through accession to a number of

international instruments, including the protocol to the African Charter, and the Rome Statute, and noted the abolition of the death penalty.

54. Mauritius welcomed the commitment to implement previous recommendations. It appreciated the strengthening of the National Human Rights Commission and the adoption of the National Development Plan. It noted progress regarding primary education and encouraged Côte d'Ivoire to work towards the achievement of Millennium Development Goal 2.

55. Mexico noted the progress towards sustainable peace and political reconciliation. It appealed to Côte d'Ivoire to engage in fair transitional justice proceedings. It noted legislative reforms and the accession to international conventions on statelessness.

56. Montenegro requested details on efforts to improve cooperation with the International Criminal Court (ICC) and to strengthen national institutions, including the judiciary and the police. It welcomed efforts to combat FGM and noted the persistence of forced and early marriage. It encouraged enforcement of the law to prohibit those practices.

57. Morocco welcomed the country's commitment to national reconciliation. It commended Côte d'Ivoire's democratic achievements in the political, institutional and legislative spheres, and progress regarding the security and political situation. It commended the country's commitment to establishing a mechanism to follow up on recommendations.

58. Mozambique noted the country's unstable situation. It praised the institution of the Dialogue, Truth and Reconciliation Commission and noted the draft legal framework concerning war victims. It congratulated Côte d'Ivoire on having adopted a national plan on domestic violence.

59. The Netherlands commended steps to investigate and prosecute offences against human rights defenders and journalists, and welcomed the adoption of the bill to protect their rights, as well as the ratification of the Rome Statute. It expressed concern regarding the protection of women's rights.

60. Nicaragua applauded the adoption of the National Development Plan, and noted the efforts towards national dialogue, reconciliation, and strengthening internal democratic processes. It encouraged continued efforts towards lasting peace and development.

61. The Niger welcomed the reconciliation efforts, the law on the National Human Rights Commission, and the National Development Plan. It encouraged the international community to provide technical assistance to ensure continued efforts, ratification of conventions and strengthened institutional capacity.

62. Nigeria commended the steps taken to align domestic legislation with international laws, despite shortfalls. It urged further efforts to ensure fundamental rights and basic freedoms. It invited the international community to support the protection of women's and children's rights and the provision of education and stable health care.

63. Norway expressed concern regarding arbitrary detention, the capacity, availability, affordability and independence of the courts, the prevalence of FGM, and the level of gender-based violence. It welcomed efforts to combat child labour, including the trafficking of children, and to support victims of gender-based violence.

64. Paraguay noted the ratification of the Rome Statute and encouraged the harmonization of domestic legislation with that document. It commended the ratification of CRPD and of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (OP-CEDAW). The Law on Marriage was an important step for women's rights, ensuring equal parental responsibility.

65. The Philippines applauded the steps taken to implement recommendations accepted during the first UPR cycle. The international community should support reconciliation and human rights protection efforts. It noted the prioritization given to consolidating peace, combating violence against women and improving women's living conditions.

66. The Republic of Korea noted the Government's efforts to overcome challenges and improve human rights by establishing the National Human Rights Commission and the Commission on Dialogue, Truth and Reconciliation. It commended the ratification of the Rome Statute and the signature of the Optional Protocol to the Convention on the Rights of the Child.

67. The Russian Federation welcomed the developments in the human rights situation since the first UPR cycle, including the ratification of OP-CEDAW and CRPD. It noted that legislation did not prohibit discrimination against women, and also noted continued occurrences of FGM and forced early marriage.

68. After the initial presentation, 47 States parties made comments in relation to the supporting documents for the review of Côte d'Ivoire. After those statements, most of which concerned the recommendations by the States parties, the head of the delegation welcomed the relevant and very useful contributions by the States parties aimed at strengthening the promotion and protection of human rights in Côte d'Ivoire. He also responded to two of the questions raised.

69. In response to the question of Montenegro with regard to the level of cooperation between Côte d'Ivoire and the International Criminal Court since the ratification of the Rome Statute, he said that there was good cooperation. A cooperation agreement had been in place since before the ratification, and Côte d'Ivoire was prepared to cooperate with the Court.

70. With regard to combating impunity, he said that Côte d'Ivoire was working towards achieving zero impunity. The Ivorian Government was aware that impunity was at the root of serious abuses and violations in the aftermath of the 2010 post-election crisis. The perpetrators of acts liable to criminal prosecution would be brought to justice.

71. With regard to the measures taken in relation to polygamy and early marriage, he said that Côte d'Ivoire had a system of monogamy and that polygamy was considered an offence. The legal age for marriage was set in legislation, and any derogation from that was punishable by law.

72. In response to the statement by Luxembourg concerning the trivialization of violence and the culture of impunity, he said that sexual violence could not be trivialized in Côte d'Ivoire. No country could experience peace if it did not punish such behaviour. Côte d'Ivoire strove to combat all forms of violation and impunity. All acts brought to the attention of the authorities were prosecuted.

73. In response to the questions submitted in advance, particularly those concerning the submission of reports to the treaty bodies, he emphasized that, since the end of the post-election crisis, Côte d'Ivoire had undertaken to prepare its reports to the human rights treaty bodies within the requested deadlines. Operational departments in the various ministries had been entrusted with the task.

74. However, the Government was in the process of reactivating the decree on the establishment of a committee to monitor implementation of international human rights instruments. That committee would, among other tasks, prepare the summary and periodic reports of Côte d'Ivoire to the relevant bodies of the United Nations and the African Commission on Human and Peoples' Rights.

75. With regard to the ratification of international human rights instruments, the head of the delegation said that there were no obstacles to the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance or the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Côte d'Ivoire was a party to the International Covenant on Civil and Political Rights, article 6 of which suggested abolishing the death penalty.

76. As for the harmonization of national legislation with international standards, Côte d'Ivoire intended to address shortcomings in relation to rape as part of its reform of the standard codes. However, it should be borne in mind that articles 354 and 356 of the Ivorian Criminal Code criminalized rape and sexual harassment. Côte d'Ivoire had ratified the Rome Statute on 15 February 2013.

77. Côte d'Ivoire had signed the bilateral immunity agreements on 30 June 2003 and planned to ratify the Agreement on the Privileges and Immunities of the International Criminal Court and implement the Rome Statute in national law.

78. Rwanda applauded the creation of the Dialogue, Truth and Reconciliation Commission and the National Human Rights Commission, and of the national health policy document, the adoption of a national strategy for sustainable development, and the efforts to combat gender-based violence.

79. Senegal noted the creation of a ministerial human rights department, the establishment of the National Human Rights Commission, and the efforts to combat impunity. It welcomed the implementation of the national strategy for sustainable development.

80. Sierra Leone commended Côte d'Ivoire on its legislative reforms and willingness to ensure political and institutional reform in conformity with international human rights conventions. It noted the efforts to provide social, legal and civil protection and welcomed the National Development Plan.

81. Singapore noted the improved security situation and encouraged further efforts to enhance the rule of law. It noted the legislative changes made to strengthen the administration of justice and the steps taken to promote the right to education.

82. Slovakia welcomed the ratification of the Rome Statute, and the law on protecting human rights defenders. It welcomed the Dialogue, Truth and Reconciliation Commission. It expressed concern regarding gender-based violence and stated that violence against children must be addressed.

83. Slovenia commended the follow-up to the recommendations of the International Commission of Inquiry and the Human Rights Council made during the post-election crisis. It welcomed the ratification of the Rome Statute and the cooperation with ICC.

84. South Africa commended the efforts to improve human rights and fulfil international obligations, which should continue. It welcomed the adoption of the National Development Plan and the bringing into line of the National Human Rights Commission with the Paris Principles.

85. South Sudan commended the cooperation with all special procedures mandate holders and encouraged the Government to continue that cooperation. It called on the international community to provide support and assistance for implementation of the recommendations regarding, inter alia, poverty, discrimination, violence against women, FGM and detention conditions.

86. Spain welcomed the accession of Côte d'Ivoire to CRPD and to the Convention on the Reduction of Statelessness of 1961, and the creation of the National Human Rights Commission. It commended the steps taken to strengthen judicial independence. It

expressed concern regarding victims of sexual violence, and discrimination against persons with albinism.

87. The State of Palestine welcomed the efforts made to improve the human rights situation since the first UPR cycle, despite the challenges the country was facing.

88. The Sudan welcomed the efforts to promote human rights and strengthen national institutions, despite the challenges facing the country. It paid tribute to the country's commitment to and cooperation with the review, and highlighted its efforts to implement recommendations accepted during the first UPR cycle.

89. Sweden welcomed the positive developments regarding the prosecution of sexual violence, but expressed concern regarding FGM. Although assistance was provided to victims of rape and domestic violence, impunity remained a concern. It welcomed the efforts to pursue reconciliation and disarmament, although much remained to be done.

90. Switzerland expressed concern about the lack of judicial impartiality regarding human rights violations and acts of torture, the number of people at risk of statelessness, the number of cases of sexual violence, and violations of the rights of lesbian, gay, bisexual, transgender and intersex persons and of those with HIV/AIDS.

91. Thailand encouraged the extending of a standing invitation to special procedures mandate holders. It expressed concern about human rights violations, harmful gender stereotypes, and a lack of access to justice for women. It commended the ratification by Côte d'Ivoire of OP-CEDAW, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OP-CRC-AC) and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OP-CRC-SC).

92. The former Yugoslav Republic of Macedonia asked about measures taken to address corruption in the judiciary, create an independent judiciary and overcome impunity. Welcoming the ratification of OP-CRC-AC and OP-CRC-SC, it urged the country to fulfil its reporting obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Sexual violence remained a concern.

93. Togo applauded the Government's commitment to implementing recommendations accepted in 2009, despite the challenges facing the country. It noted that Côte d'Ivoire had become a party to the majority of international human rights instruments. It welcomed the commitment to a transitional justice process.

94. Tunisia commended the political and institutional reform, the conformity of the National Human Rights Institution with the Paris Principles, and the ratification of the Rome Statute. The process for adopting the national human rights policy should be accelerated. Freedoms of civil society actors should be ensured.

95. Turkey noted the adoption of a national human rights policy and the law on human rights defenders, the ratification of international instruments and the collaboration with the Human Rights Council. It commended the national reconciliation policy and expressed concern regarding the poor levels of birth registration.

96. The United Arab Emirates recognized the implementation of previously accepted recommendations. It commended the steps taken to alleviate the impact of the post-election crisis on human rights and to promote national reconciliation. It encouraged capacity-building to meet priorities. It called upon the international community to provide technical assistance.

97. The United Kingdom of Great Britain and Northern Ireland welcomed the establishment of the National Human Rights Commission. Implementing the conclusions of

the National Commission of Inquiry report would address causes of violence and ensure equal justice. The United Kingdom encouraged cooperation on transitional justice.

98. The United States of America commended the passing of acts on acquisition of nationality by declaration, and the ratification of the Convention on the Reduction of Statelessness, of 1961. Slow security sector reform and national reconciliation efforts were of concern. Child labour and human trafficking remained an issue.

99. Uruguay welcomed the ratification of the Rome Statute, the adoption of the National Development Plan and the bill on protection of human rights defenders. It encouraged Côte d'Ivoire to cooperate with the Independent Expert and to keep working against corporal punishment and sexual abuse in schools.

100. The Bolivarian Republic of Venezuela welcomed the compliance of the National Human Rights Commission with the Paris Principles, and the ratification of CRPD, OP-CRC-AC and OP-CRC-SC. Genuine dialogue and cooperation with Côte d'Ivoire were fundamental to national reconciliation and lasting peace.

101. Algeria commended the efforts made towards national reconciliation, and the normative and institutional reform. It called on the international community to provide technical assistance to strengthen the capacity of Côte d'Ivoire to face human rights challenges.

102. Angola applauded the continued cooperation with human rights mechanisms and the ratification of CRPD and the Optional Protocol to the International Covenant on Civil and Political Rights. It commended the efforts made towards national reconciliation and supported permanent political dialogue. It asked what progress had been made in eliminating FGM.

103. Argentina highlighted the ratification of key international human rights instruments. It encouraged Côte d'Ivoire to strengthen its national reconciliation policy to fully encompass the promotion and protection of human rights and to pay special attention to vulnerable groups such as internally displaced persons (IDPs).

104. Australia welcomed the conformity of the National Human Rights Commission with the Paris Principles, and the ratification of the Rome Statute. It noted the efforts made towards peace and security, and security sector reform, disarmament, demobilization and reintegration. It remained deeply concerned by the prevalence of sexual violence.

105. Bangladesh acknowledged the endeavours of Côte d'Ivoire to promote and protect human rights, including at the legislative and national policy levels. It noted that major challenges included restoring the rule of law, national reconciliation, attaining economic, social and cultural development goals, and combating poverty.

106. Belgium commended the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, and of OP-CEDAW, and the adoption of legislation on gender equality within marriage. It welcomed the country's cooperation with ICC, but encouraged it to step up its efforts in criminal justice.

107. Benin commended the efforts to promote and protect human rights and strengthen political dialogue, peace, security and economic and social reconstruction. It encouraged Côte d'Ivoire to continue those efforts and urged the international community to increase its support to the country.

108. The Plurinational State of Bolivia recognized the progress made since the first UPR. It encouraged Côte d'Ivoire to continue strengthening human rights protection through its institutions, legislation and national policies.

109. Botswana noted progress in implementing previous recommendations and encouraged Côte d'Ivoire to continue combating poverty and promoting civil and political rights. It was concerned at persistent discrimination and violence against women and at the lack of legislation prohibiting discrimination against women.

110. Brazil noted the efforts to address political, economic and social post-crisis challenges. Women's rights and the justice system remained concerns. It acknowledged the steps taken to comply with the recommendations from the last UPR cycle concerning discrimination against women.

111. Burkina Faso commended government efforts to promote and protect human rights following the serious post-electoral crisis. It welcomed the implementation of the core provisions of the 2007 Ouagadougou Agreement, and the national peace and reconciliation policy of Côte d'Ivoire.

112. Burundi welcomed the Government's improved national legislative and institutional framework, the adoption of a national development plan and the ratification of many international human rights instruments.

113. Cabo Verde welcomed the establishment of a national human rights institution in accordance with the Paris Principles, the adoption of a national human rights policy, legislation and a strategy to combat early marriage, and a national framework plan to combat poverty and promote development.

114. Canada encouraged the Government to continue combating violence against women, particularly focusing on FGM and on child, early and forced marriages, and expressed support for the national reconciliation process and government efforts to promote and protect the rights of all people.

115. The Central African Republic commended the efforts to implement the recommendations from the first UPR. It encouraged continued endeavours for national reconciliation, and implementation of the measures taken to shed light on serious human rights violations and to combat impunity.

116. Chad noted that Côte d'Ivoire continued to improve its human rights situation, that there had been broad consultations for the preparation of its report, and that it was party to the key international human rights instruments, demonstrating its commitment to the cause.

117. Ethiopia commended the ratification of CRPD and OP-CRC-AC, and the measures taken to promote education for all, develop primary education for all children, in both urban and rural areas, and eliminate disparities between boys and girls.

118. Portugal noted with satisfaction that Côte d'Ivoire had recently ratified the Rome Statute, adopted legislation on the protection of human rights defenders and established the National Human Rights Commission.

119. Responding to the concern expressed by Spain regarding the situation of persons with albinism in Côte d'Ivoire, the head of the delegation said that they did not face any discrimination in his country. He undertook, before the international community, to take action, if the need arose, in respect of any violations to which persons with albinism might be subjected.

120. On the issue of statelessness, he said that by ratifying the two conventions on statelessness Côte d'Ivoire had considerably reduced the risk of such cases. The Ivorian Government was fully aware of the risks arising from not obtaining civil registration documents.

121. With regard to traditional hunters, commonly known as dozos, the head of the delegation said that training and awareness-raising activities were being conducted to bring

them back to their areas of origin to dedicate themselves exclusively to their original activities.

122. With regard to corporal punishment and trafficking in children, he said that there was no tolerance in Ivorian legislation of ill-treatment or abuse in general or of such treatment of children in particular. He also highlighted the active involvement of the First Lady of Côte d'Ivoire in children's issues.

123. Responding to the final questions, particularly in relation to corruption in the judiciary, he said that the establishment of the High Authority for Good Governance and the adoption of the law on combating corruption and similar offences were intended to combat the phenomenon of corruption in all sectors of Ivorian public life, including the judiciary.

124. He added that judges were independent and made rulings they believed to be in compliance with the law and their convictions.

125. Despite the considerable progress made by Côte d'Ivoire in normalizing political life and building a State based on the rule of law, in which democracy was the only regulatory framework for political conduct, it should be acknowledged that much remained to be done, as was shown by the priorities outlined earlier.

126. The head of the delegation welcomed the universal periodic review as an extraordinary mechanism for the promotion and protection of human rights worldwide and, on behalf of the President, Alassane Ouattara, and the people of Côte d'Ivoire, paid tribute to all the States that had actively participated in the review for their constructive contributions, and to the international organizations. He urged them to continue to show solidarity with Côte d'Ivoire. In closing, he said that, more than ever, Côte d'Ivoire needed their support in order to attain its objectives ahead of 2020.

II. Conclusions and/or recommendations**

127. **The recommendations listed below enjoy the support of Côte d'Ivoire:**

127.1 **Consider the accession to core human rights instruments (Lesotho); and to other main international human rights treaties that it is not yet a party to (Philippines);**

127.2 **Make efforts towards the ratification of the OP-CAT (Chile);**

127.3 **Ratify the OP-CAT (Ghana, Tunisia), as recommended previously in 2009 (Czech Republic) and take policy measures to prevent torture and ill-treatment (Estonia);**

127.4 **Accede to the OP-CAT as soon as possible (Uruguay);**

127.5 **Consider ratifying OP-CAT (Burkina Faso);**

127.6 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) (Ghana);**

127.7 **Consider acceding to the ICRMW (Chad);**

127.8 **Make efforts towards the ratification of ICCPR-OP 2 (Chile);**

** The conclusions and recommendations have not been edited.

127.9 **Ratify ICCPR-OP 2 (Rwanda) to abolish death penalty (France, Montenegro);**

127.10 **Accede to the Agreement on the Privileges and Immunities of the International Criminal Court (Slovakia);**

127.11 **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);**

127.12 **Fully implement CEDAW (Israel);**

127.13 **Ratify the third Optional Protocol to CRC (Portugal);**

127.14 **Sign (Portugal) ratify (France, Portugal, Tunisia) and accede to the International Convention for the Protection of All Persons from Enforced Disappearance as soon as possible (Uruguay);**

127.15 **Continue efforts to implement the total prohibition of torture and ill-treatment by integrating CAT into domestic legislation and ratify OP-CAT (Costa Rica);**

127.16 **Incorporate CAT into domestic law in order to define crimes of torture and incorporate it in the national legislation (France);**

127.17 **Revise the penal code and criminal procedure code and within this framework the definition and criminalization of torture (Cabo Verde);**

127.18 **Criminalize torture and other inhuman or degrading treatment or punishment in the Penal Code (Belgium);**

127.19 **Continue to adapt national legislation in order to better implement the provisions of international treaties (Russian Federation);**

127.20 **Continue to develop the institutional and legal framework in respect of human rights (Lesotho);**

127.21 **Review the Criminal and Criminal Procedural Codes in order to bring them into line with international standards (Russian Federation);**

127.22 **Review its national legislation in order to ensure its full alignment with obligations under the Rome Statute, in particular by incorporating provisions enabling cooperation with the Court (Latvia);**

127.23 **Fully align its national legislation with the Rome Statute of the ICC and accede to the Agreement on the Privileges and Immunities of the Court (APIC) (Estonia);**

127.24 **Fully align its national legislation with the Rome Statute, including by incorporating provisions to cooperate promptly and fully with ICC and to investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts (Liechtenstein);**

127.25 **Continue its full cooperation with ICC (Burkina Faso);**

127.26 **Introduce legislative measures to strengthen the rule of law and consolidate cooperation between national and international mechanisms to fight against impunity notably between the ICC, the Special Investigation Unit, and the military court (Canada);**

127.27 **Quickly complete the alignment of the national legislation with the provisions of the Rome Statute (Tunisia);**

127.28 **Adopt legislative measures for an effective implementation of the Rome Statute (Uruguay);**

127.29 **Revise its legislation to bring it into line with the requirements of the Rome Statue, so that, for example, statutes of limitations are not applicable to crimes against humanity, ensuring that all persons regardless of their position or rank are liable to prosecution as well as including responsibility of superior officers for crimes against humanity and war crimes committed with their knowledge (Belgium);**

127.30 **Swiftly adopt the law on the protection of human rights defenders by the Ivorian Parliament, and its immediate implementation (Czech Republic);**

127.31 **Adopt a comprehensive law on the trafficking in persons, including women and children (Sierra Leone);**

127.32 **Fully align its national legislation with the CEDAW, including by eliminating all discriminatory provisions from national laws and by supporting its full implementation with practical as well as policy measures (Estonia);**

127.33 **Intensify its efforts to combat violence against women by criminalizing and implementing comprehensive laws prohibiting sexual and gender-based violence and female genital mutilation, and by providing the necessary support to victims of sexual and gender-based violence (Liechtenstein);**

127.34 **Continue and strengthen its efforts towards enforcing the law on female genital mutilation (Norway);**

127.35 **Take necessary steps to enforce laws covering violence, including sexual violence, against women and girls and support to victims to ensure that perpetrators are sanctioned (Norway);**

127.36 **Take all the necessary measures to criminalize violence against women and girls and adopt a committed and determined criminal policy to fight against this surge (Luxembourg);**

127.37 **Criminalize domestic violence in the Penal Code (Paraguay);**

127.38 **Adopt a comprehensive law on violence against women (South Africa);**

127.39 **Carry on the legislative amendments to repeal all discriminatory provisions against women and adopt a comprehensive law on violence against women (Turkey);**

127.40 **Include in its criminal law the definition of rape and other crimes of a sexual nature, according to International Law (Uruguay);**

127.41 **Adopt a specific law on domestic violence, including by criminalizing marital rape (Belgium);**

127.42 **Enact legislation dealing with prohibiting violence against women and implement it in law and practice (Botswana);**

127.43 **Take measures both in legislation and practice to ensure the rights of children, including access to education and health, birth registration, combating child labour and violence against them (Costa Rica);**

127.44 **Guarantee that the legal and institutional framework ensures that children in conflict with the law be dealt with in a manner that conforms to international standards (South Africa);**

127.45 **Enhance the activities of the National Commission for Human Rights and ensure its conformity with the Paris Principles (France);**

127.46 **Create an independent Human Rights Institution in accordance with the Paris Principles (Ghana);**

127.47 **Continue its efforts in empowering the National Human Rights Commission, in particular by holding consultations with all stakeholders with a view to making necessary adjustments to the existing law so as to ensure the Commission is in line with the Paris Principles in respect of its mandate, composition, organization, functioning, independence and means (Indonesia);**

127.48 **Ensure that its NHRI is in conformity with the Paris Principles (Sierra Leone);**

127.49 **Focus on the five priority areas identified by the Government (Ghana);**

127.50 **Continue its efforts to overcome its domestic challenges and constraints with a view to improving the human rights situation in the country (Malaysia);**

127.51 **Establish a National Action Plan for the priorities, initiatives and commitments it has identified in its UPR report with a view to improving the human rights situation in Côte d'Ivoire (Mauritius);**

127.52 **Continue to advance in tackling, in an efficient and responsible manner, the structural underlying causes of discrimination against women (Comoros);**

127.53 **Approve the national strategy to promote gender mainstreaming and empowerment of women, and to strengthen mechanisms responsible for monitoring its effective implementation (Maldives);**

127.54 **Strengthen the national policy against sexual violence, in cooperation with the UN and civil society and pursue its efforts to promote women's rights in particular to fight against all forms of genital mutilation and forced and early marriages (France);**

127.55 **Strengthen the protection and assistance provided to victims in the national action plan against domestic and sexual violence, including measures to encourage complaints, and access to justice, legal advice, medical and psychological attention (Mexico);**

127.56 **Undertake a comprehensive legal and cultural awareness-raising campaign on sexual and gender-based violence including issues such as rape, forced marriage, female genital mutilation and domestic violence (Ireland);**

127.57 **Pursue efforts to combat violence against women, notably by intensifying awareness-raising campaigns about respect for women's rights (State of Palestine);**

127.58 **Continue ongoing efforts and adopt effective measures and policies to stop and prevent sexual violence against women and girls, as recommended previously in 2009 (Sweden);**

127.59 **Continue efforts to fight violence against women, including by raising awareness on the fight against female genital mutilation (Algeria);**

127.60 **Allocate greater resources to combat sexual violence and to prosecute perpetrators (Australia);**

127.61 **Take effective action to protect women and children from sexual violence, including by strengthening and implementing legislation against**

domestic violence and providing counselling services and safe places for victims (Germany);

127.62 **Facilitate the filing of complaints by victims of sexual violence by assigning women (officers) to police stations and subsidize medical certificates attesting to such violence (Hungary);**

127.63 **Consolidate the progress achieved in the field of human rights education and training, by regularly organizing, with the assistance of the international community, seminars and awareness-raising workshops on human rights, particularly for members of the security forces and the judiciary (Morocco);**

127.64 **Implement policies aimed primarily at judicial and police officers, which combat stereotypes that normalize violence against women, in order to create a proper atmosphere for victims to file complaints on such acts (Paraguay);**

127.65 **Intensify awareness-raising and educational campaigns to supplement current programmes aimed at empowering women, with a particular focus on identifying and countering discriminatory perceptions and actions or practices that could endanger the safety and security of women and girls (Philippines);**

127.66 **Adopt a national strategy to combat violence against women and to ensure equal participation of women in political and social life (Russian Federation);**

127.67 **Take further measures to improve transparency and clarification on its policies and measures to promote gender equality, especially with regard to the implementation of Act No. 2013-33 (Netherlands);**

127.68 **Continue working on the elaboration of its national human rights policy for its prompt implementation and take into account the constructive contributions arising from this review in the aforementioned policy (Nicaragua);**

127.69 **Strengthen the inclusive approach in the implementation of the national policy for the promotion and protection of Human Rights (Senegal);**

127.70 **Step up efforts to strengthen the process of national reconciliation (Congo);**

127.71 **Redouble its efforts to succeed in the national reconciliation process (Democratic Republic of the Congo);**

127.72 **Strengthen the action of the Dialogue, Truth and Reconciliation Commission in line with the National Programme on Social Cohesion (France);**

127.73 **Speed up the national reconciliation process, so as to consolidate the progress towards the enjoyment of human rights by its people, with the support of the international community (Mozambique);**

127.74 **Continue the dialogue and positive measures to foster national reconciliation and social cohesion (Senegal);**

127.75 **Continue the policy of national reconciliation and consider, if necessary, elaboration of further measures with a view to fostering the process of reconciliation (Slovakia);**

127.76 **Continue the process of national reconciliation (Algeria);**

127.77 **Continue its efforts to finalize the national reconciliation process so as to preserve the promotion and protection of human rights (Angola);**

127.78 **Ensure the participation of all political parties, civil society organizations and community leaders in the work of the Dialogue, Truth and Reconciliation Commission (Australia);**

127.79 **Continue its dialogue on the national reconciliation process through the work of the Dialogue, Truth and Reconciliation Commission by ensuring that the search for truth is a fundamental principle of the Commission, so that it produces recommendations for fair and unbiased actions, and adopt these recommendations at the earliest (Canada);**

127.80 **Redouble its efforts to reintegrate former combatants (Australia);**

127.81 **Continue its efforts to identify war victims and compensate the damages (Togo);**

127.82 **Take full use of technical assistance of the UN and Ivorian NGOs dealing with women's rights to finalize the strategy and implement it accordingly, once adopted (Slovenia);**

127.83 **Continue to move forward through the adoption of all measures and policies that can achieve greater efficiency in the promotion and protection of human rights, and the promotion of the rule of law (Burundi);**

127.84 **Adopt a multiannual action plan to implement the National Policy on Human Rights, and the recommendations of the Human Rights Council, with an effective monitoring structure (Cabo Verde);**

127.85 **Implement the National Commission of Inquiry recommendations to ensure that those responsible for violations of human rights, from all parties are held accountable for their actions as soon as possible (Canada);**

127.86 **Strengthen the implementation of the recommendations of the International Commission on Access to Justice and Victims Assistance, and of those observations made by the Convention on the Elimination of All Forms of Discrimination against Women (Chile);**

127.87 **Extend the deadline for late registration of births and put in place a simple and free birth registration procedure as well as a national strategy to raise awareness on the importance of birth registration (Hungary);**

127.88 **Continue building its national capacities and implement its priorities as they were specified in its national report (United Arab Emirates);**

127.89 **Develop a comprehensive policy aimed at strengthening the judicial system, and rule of law (Botswana);**

127.90 **Continue the implementation of the national strategy to encourage women to stand for elections and elected positions (Algeria);**

127.91 **Submit its initial report to the Committee against Torture which is fifteen years overdue (Republic of Korea);**

127.92 **Submit its backlog of outstanding reports to the concerned treaty bodies (Sierra Leone);**

127.93 **Cooperate with the mandate holders of special procedures and treaty bodies (Chad);**

127.94 **Continue its cooperation with the treaty bodies and submit its outstanding reports (Togo);**

127.95 **Request the necessary aid and technical assistance to the international community, in particular to the United Nations bodies dealing with development, to support the initiatives of the National Development Plan (Morocco);**

127.96 **Pursue the reforms engaged for the protection of children and gender equality (Djibouti);**

127.97 **Make every effort to completely abolish all forms of discrimination against women (Burundi);**

127.98 **Speed up the process of identification of discriminatory provisions against women (Paraguay);**

127.99 **Continue its fight against discrimination against women (Bangladesh);**

127.100 **Strengthen measures to expand women's access to land and to microfinance and microcredit at low interest rates (Egypt);**

127.101 **Double its efforts to enhance the enjoyment of women of their legitimate rights and protect them from all forms of violations (Sudan);**

127.102 **Take all necessary measures to further promote the rights of women and girls, including abolishing all discriminatory laws, implementing the national action plan to combat sexual violence and ending female genital mutilation (Brazil);**

127.103 **Take concrete measures to protect the rights of people with albinism, in accordance with the recommendations made by the Office of the High Commissioner, and raise awareness among society about their situation (Spain);**

127.104 **Adopt measures to stop aggressions and discrimination against persons suffering from albinism (Central African Republic);**

127.105 **Reduce overcrowding and improve physical situation of prisoners and administrative management in prisons (Spain);**

127.106 **Consider incorporating the UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, otherwise known as the "Bangkok Rules", as part of its programme to enhance the condition of detainees in prisons (Thailand);**

127.107 **Refrain from arbitrary arrests and make every effort to bring detainees before a judge within the statutory deadline of 48 hours (Germany);**

127.108 **End all arbitrary detention and strengthen the capacity on the judicial system as addressed in the country report following the previous Universal Periodic Review (Norway);**

127.109 **Continue improving conditions of detention, notably through the separation of quarters of children, women and men in detention facilities where this has not been achieved yet (State of Palestine);**

127.110 **Continue to take measures to ensure in practice the protection of children against sale and trafficking, in accordance with Act No. 2010-272, and ensure that persons engaging in the sale and trafficking of children are prosecuted (Egypt);**

127.111 Intensify the initiatives aimed at both preventing child and women trafficking, child labour, forced prostitution, and facilitating the social reintegration of the victims (Italy);

127.112 Take necessary measures to eliminate worst forms of child labour, specifically in mining, forced begging, and commercial sexual exploitation (United States of America);

127.113 Thoroughly investigate human rights violations perpetrated by all sides after the 2010 presidential elections and fully cooperate with the ICC's investigations (Czech Republic);

127.114 Ensure an equitable and impartial approach to the administration of justice so that all perpetrators responsible for violent crimes are held to account, irrespective of their political, tribal or religious background (Ireland);

127.115 Ensure that all those responsible for serious human rights abuses and violations of international humanitarian law are brought to justice in accordance with its international obligations (Israel);

127.116 Ensure that all the initiatives taken in the field of reconciliation comply with international standards on human rights, beginning with a comprehensive fight against impunity (Italy);

127.117 Promote national reconciliation by investigating crimes, accountability measures and reparation for victims (Mexico);

127.118 Reinforce the judicial system which ensures that serious human rights perpetrators are brought to justice (Republic of Korea);

127.119 Strengthen mechanisms which facilitate access to justice for victims of atrocities including sexual violence (Sierra Leone);

127.120 Continue to undertake measures to enhance the rule of law to protect the rights of its people (Singapore);

127.121 Prosecute all presumed perpetrators of human rights violations (Switzerland);

127.122 Continue efforts initiated in order to prosecute all perpetrators of serious human rights violations and provide assistance to victims (Argentina);

127.123 Ensure fair and rapid justice for all perpetrators of human rights violations (Burkina Faso);

127.124 Strengthen the judiciary and police bodies for the prevention of sexual violence, in particular through increasing the number of women and their visibility in the police and the justice system (Portugal);

127.125 Strengthen awareness campaigns on the harmful consequences of female genital mutilation and bring all excision practitioners to justice (Hungary);

127.126 Thoroughly investigate all allegations of sexual violence and bring perpetrators of such crimes to justice, in accordance with international standards, as recommended previously in 2009 (Sweden);

127.127 Undertake all necessary measures to end impunity for sexual violence by investigating all allegations of sexual violence and to prosecute individuals against whom there is sufficient evidence of such abuses (the former Yugoslav Republic of Macedonia);

127.128 Guarantee to women effective access to the courts and strengthen assistance and support to victims (Argentina);

127.129 Develop a comprehensive policy aimed at strengthening the judicial system, focusing on the effective access to justice for women (Israel);

127.130 Take measures to facilitate access to justice for victims of sexual violence, such as by issuing the medical certificates necessary to lodge complaints for sexual violence (Belgium);

127.131 Improve access to legal assistance and ensure compensation for victims, especially female victims of sexual violence (Burkina Faso);

127.132 Work towards fostering the independence of the Judiciary and reducing the number of people in pretrial detention without substantiated charges (Brazil);

127.133 Engage without any delay to prosecute all those who have committed serious violations of human rights, in particular during the post-electoral crisis in 2010, without any consideration of their ethnic, religious or political status (Luxembourg);

127.134 Step up their efforts and undertake credible investigations and prosecutions against members of both sides of the post-electoral conflict, including the security forces, thus contributing to the end of impunity (Slovenia);

127.135 Take appropriate measures to expedite the ongoing legal proceedings against supporters of former President Laurent Gbagbo, and investigate and punish, when appropriate, crimes committed by the forces of President Ouattara (Spain);

127.136 Continue to fight impunity by pursuing crimes that occurred during or in conjunction with the post-electoral conflict and previous conflicts in the country, regardless of which side in the conflicts the perpetrators belonged to. This includes continuing cooperation with the International Criminal Court (Sweden);

127.137 Implement the report of the National Inquiry Commission and the commitments taken to fight against impunity, by prosecuting the presumed perpetrators of human rights abuses during the post-electoral crisis regardless of their political affiliation (France);

127.138 Expedite its fight against impunity and prosecute the perpetrators of serious violations of human rights committed during the post-electoral crisis (Turkey);

127.139 Ensure that all parties responsible for the post-election crimes of 2010 be brought to justice regardless of their political affiliation (United Kingdom of Great Britain and Northern Ireland);

127.140 Develop a comprehensive transitional justice strategy that will encompass accountability, reparations, security sector reform and judicial reform ahead of the presidential elections in October 2015 (United Kingdom of Great Britain and Northern Ireland);

127.141 Investigate, and when appropriate, prosecute perpetrators of serious crimes, including abuses perpetrated by both sides of the post-election violence, on a non-discriminatory basis and regardless of their ethnic, religious, or

political affiliations, to promote national reconciliation and the rule of law (United States of America);

127.142 Continue to prioritize the investigation and prosecution of serious international crimes regardless of political affiliation and cooperate with the International Criminal Court in this regard (Australia);

127.143 Take concrete steps to combat impunity with respect to human rights abuses committed by security forces, including dozos, by increasing governmental oversight of their operations, investigating credible allegations, and prosecuting cases where appropriate (United States of America);

127.144 Improve local administrative and judicial mechanisms to recover lands in the shortest possible time (Spain);

127.145 Give priority to resolving conflicts related to land tenure (Burkina Faso);

127.146 Adopt measures to ensure open and free campaign before the 2015 presidential elections, grant the opposition representatives access to all State-controlled media, and promote work of all journalists (Czech Republic);

127.147 Leave no stone unturned to address all outstanding electoral reform issues to guarantee free and fair elections in 2015 (Ghana);

127.148 Spare no efforts in creating conditions conducive to the peaceful and democratically credible holding of the 2015 presidential elections, in particular by convening a solid voter registration process reforming as necessary the National Election Commission (Indonesia);

127.149 Take the adequate measures to enlarge the space allocated to civil society (Djibouti);

127.150 Step up its efforts to protect civil society space within the country (Italy);

127.151 Pursue efforts to improve the living conditions of women, notably through measures aimed at encouraging women to stand for elective office and to seek public appointments, as well as through measures aimed at facilitating women's access to credit, land, and to basic health services (State of Palestine);

127.152 Continue the efforts to facilitate the registration of births and create awareness of the importance of this procedure, which allows access to all other rights and basic services such as education and health (Turkey);

127.153 Conduct awareness campaigns to promote birth registration of all children and take the necessary measures to ensure easy and effective access to free birth registration for the newborn (Mexico);

127.154 Continue ongoing efforts to reduce the rates of maternal mortality (Egypt);

127.155 Strengthen efforts to reduce the incidence of maternal mortality (South Africa);

127.156 Take concrete measures to improve victim assistance, including health and psychosocial help, to victims of sexual violence and rape, also by providing free medical certificates to rape survivors, since this for most victims unaffordable document is deemed crucial in the course of any pursued investigations (Slovenia);

127.157 **Remove any obstruction of the right to justice for victims of sexual violence and provide them with effective treatments (Spain);**

127.158 **Share experience with states within the region and benefit from their experiences in combating female genital mutilation (South Sudan);**

127.159 **Continue effectively the fight against female genital mutilation (Togo);**

127.160 **Continue efforts to sensitize public officials on the respect for women's rights, in particular the fight against female genital mutilation (Bolivia (Plurinational State of));**

127.161 **Continue its efforts in the social field, in particular for those most in need, especially in the field of nutrition, health and education (Venezuela (Bolivarian Republic of));**

127.162 **Increase its efforts through targeted and comprehensive measures, especially in education, in order to eliminate traditional harmful practices, such as FGM and early and forced marriage (Italy);**

127.163 **Continue and strengthen efforts to provide quality education for all, especially free primary education for children and education for persons with disabilities (Maldives);**

127.164 **With support from UNESCO and ILO, continue to strengthen its education system and vocational training especially for youth (Singapore);**

127.165 **Continue current efforts to provide every child with good quality basic education (Egypt);**

127.166 **Urge to take measures for the introduction of specific modules on human rights at all levels of education, and to continue its cooperation with international and regional human rights mechanisms, boost the national framework of humanitarian consultation created by the decree of 23 January 2013 and to strengthen the role of NGOs' interface and civil society (Burkina Faso);**

127.167 **Continue to create the conditions to facilitate the voluntary reparation of Ivorian refugees in accordance with the Tripartite Agreement (Ghana);**

127.168 **Adopt additional measures that tend to develop a comprehensive strategy that tends to address the needs of IDPs and provide sustainable solutions (Argentina);**

127.169 **Strengthen monitoring and supervision by relevant environmental agencies in order to ensure that toxic waste is treated in an environmentally sound manner (Egypt);**

127.170 **Intensify efforts to meet the Millennium Development Goals within the remaining period (Ethiopia);**

127.171 **Continue, with the assistance of the international community, to implement its plans for economic and social development and further reduce poverty so as to lay a firm foundation for improving peoples' livelihood (China);**

127.172 **Strengthen measures taken to fight poverty and unemployment, including through the intensified implementation of programmes in the National Development Plan for 2012–2015 in order to combat poverty and foster development (Ethiopia);**

127.173 Continue its efforts on poverty reduction (Cuba);

127.174 Continue its fight against poverty with international community's support (Bangladesh);

127.175 Continue to consolidate efforts to combat extreme poverty and improve the economic situation in the country, while ensuring that marginalized sectors, including persons with disabilities and migrants, are given equal and fair access to labour opportunities (Philippines);

127.176 Work towards the effective implementation of the national development plan that was adopted in March 2012 in its six points (Sudan);

127.177 Redouble actions to improve the compliance with the human right to water (Bolivia (Plurinational State of));

127.178 Consider the promotion and protection of the rights of peasants and other people working in rural areas (Bolivia (Plurinational State of)).

128. The following recommendations will be examined by Côte d'Ivoire, which will provide responses in due time, but no later than the 27th session of the Human Rights Council in September 2014:

128.1 Ratify the Kampala amendments to the Rome Statute, if possible with a view to contributing to the activation of the jurisdiction of the ICC over the crime of aggression at the beginning of 2017 (Liechtenstein);

128.2 Consider ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia) as a matter of priority (Thailand);

128.3 Fulfil its obligations in accordance with CAT, immediately submit its overdue initial national report to the Committee against Torture and include a specific individual offence criminalizing acts of torture as well as a definition of torture in the national legislation (Czech Republic);

128.4 Consider extending a standing invitation to all the special procedures mandate holders of the Human Rights Council (Latvia);

128.5 Extend a standing invitation to all Human Rights Council special procedures (Montenegro, Portugal, Republic of Korea);

128.6 Better protect LGBTI persons and persons with AIDS against any act of discrimination and violence and review its legislation in this context (Switzerland).

129. The following recommendations did not enjoy the support of Côte d'Ivoire and would thus be noted:

129.1 Take further steps to prevent discrimination on the grounds of gender identity and sexual orientation and to raise awareness on its consequences (Netherlands);

129.2 Conduct such specific awareness-raising campaigns which can help to sensitize the general Ivorian public regarding the rights of LGBTI persons (Slovenia).

130. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

[*English only*]

Composition of the delegation

The delegation of Côte d'Ivoire was headed by Mr. Gnénéma Mamadou Coulibaly and composed of the following members:

- Kouadio Adjoumani, Permanent Representative of Côte d'Ivoire to the United Nations;
- Mamadou Diane, Adviser Counsellor of the President of the Republic;
- Fidéle Sarassoro, Adviser to the President, Director of ADDR;
- Bako Jean Fructueux, Deputy Chief of Cabinet – Ministry of Justice;
- Acka Kassy Joseph, Technical Adviser of the Cabinet of the Prime Minister – Ministry of Economy, Finances and Budget;
- Ouattara Siaka Stevens, Technical Adviser of the Cabinet of the State Ministry – Ministry of the Interior and Security;
- Koffi Yao Bernard, Technical Adviser in charge of Conventions of the Ministry of the Environment, Urban Health and Sustainable Development;
- Oulai Zagni Madeléne, Deputy of the National Assembly;
- Marie-Christine Bocoum, Commission Director – Economic and Social Council;
- Koné Mariatou, Director Coordinator of the National Programme for Social Cohesion;
- Kamaté Banhouman, Director of Promotion of Human Rights and Public Liberties;
- Agoh Gérard, Vice Director on Legislation – Ministry of Defense;
- Frank Aymar Douzan, Minister in charge of the Economy, Finances and Budget;
- Zouon Bi Tidou Nestor, First Counsellor to the Permanent Mission in Geneva;
- Tiémoko Moriko, Counsellor, Permanent Mission in Geneva;
- Bakayoko Nogozene, Counsellor, Permanent Mission in Geneva;
- Silué Karim, Counsellor, Permanent Mission in Geneva;
- Bamba Lanciné Joël, Counsellor in charge of Protocol of the Permanent Mission in Geneva;
- Dié Mindéba Hanna Grâce, Assistant to the Direction of Legal Affairs – Ministry of State – Minister of Planning and Development;
- Yéboua Kouassi Martin, member of the Permanent Mission in Geneva;
- Benson Eba Fatim, Permanent Mission at Geneva.

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Universal Periodic Review

Report of the Working Group on the Universal Periodic Review*

Côte d'Ivoire

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

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1. Pursuant to resolution 16/21 of 25 March 2011 and decision 17/119 of 17 June 2011 of the Human Rights Council, Côte d'Ivoire was reviewed within the framework of the universal periodic review for the second time on 29 April 2014.

2. The delegation of Côte d'Ivoire led by Mr. Gnénéma Mamadou Coulibaly, Minister of Justice, Human Rights and Public Freedoms, introduced a report centred on three core issues: changes in the normative and institutional framework; the response to and implementation of the recommendations and commitments from the first universal periodic review and the State's expectations in terms of capacity-building and technical assistance.

3. Following that review, 186 recommendations were made to Côte d'Ivoire which accepted 178 of them, deferred 6 and rejected 2.

4. It is therefore happy to have taken part in the exercise, which makes it possible to assess States' capacity to take ownership of the different mechanisms put in place by the United Nations to promote human rights, the measures taken to put them into effect and the progress made.

5. This report will supply information on the Ivoirian position on the recommendations which were deferred to the twenty-seventh session and those that were accepted.

I. Replies on the deferred recommendations

6. During its second periodic review, Côte d'Ivoire asked the Working Group, which agreed, if it could defer its pronouncement on six of the recommendations from nine States. These recommendations were formulated by:

- Liechtenstein (128.1);
- Slovenia (128.2) and Thailand (128.2);
- Czech Republic (128.1);
- Latvia (128.4);
- Montenegro (128.5), Portugal (128.5) and Republic of Korea (128.5);
- Switzerland (128.6).

Accession to the international human rights instruments

Recommendation 128.1 (Accepted)

7. Regarding this recommendation (128.1), concerning the Kampala amendments relating to the International Criminal Court, it must be borne in mind that it refers to a voluntary commitment by member States to strengthen the Rome Statute system, including its jurisdiction over the crime of aggression.

8. Adopted by consensus on 11 June 2010 by the States present in Kampala, the crime of aggression will effectively come under the Court's jurisdiction only as of 1 January 2017. Côte d'Ivoire acceded to the Rome Statute on 15 January 2013 and intends to continue its cooperation with this important instrument in the fight against impunity.

9. Accordingly, it undertakes to adopt the necessary measures to extend the Court's jurisdiction to crimes of aggression. The same goes for the amendment extending to non-international conflicts the ban on certain weapons already applicable to international conflicts.

Recommendation 128.2 (Accepted)

10. In ratifying the Convention on the Rights of the Child in February 1991, Côte d'Ivoire undertook to make respect for children's rights a tangible and everyday reality. It is in this spirit that it ratified the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography.

11. Hence, approval of this third optional protocol establishing a reporting procedure will further strengthen the Ivoirian legislative framework for child protection, insofar as it enables children and/or their representations to bring individual complaints before the United Nations Committee on the Rights of the Child. Côte d'Ivoire therefore has no objection to its ratification.

Cooperation with treaty bodies and special procedures

Recommendation 128.3 (Accepted)

12. Concerning this recommendation (128.3), Côte d'Ivoire would like to note that it is well aware of its considerable delays in reporting to the treaty bodies. That problem will be addressed by the establishment, in the very near future, of an interministerial commission to draft reports in keeping with its international human rights commitments, as the Government promised during its recent periodic review.

13. In addition, regarding the definition and criminalization of torture in Ivoirian criminal legislation, in accordance with the provisions of the Convention against Torture, the current recasting of the usual codes will address this concern.

Recommendations 128.4 and 128.5 (Rejected)

14. Regarding these recommendations (128.4 and 128.5), Côte d'Ivoire would like to point out that it has never refused any Human Rights Council special procedures mandate holder access to its territory nor sent away a special procedures mandate holder.

15. However, in order to maximize these special procedures mandate holders' chances of success, it would like requests to be made on a case-by-case basis for purposes of analysis. Consequently, it cannot respond favourably to standing invitations to the special procedures.

16. In this regard, it should be pointed out that Côte d'Ivoire displays excellent cooperation and responsiveness to the special procedures by responding favourably to the requests to visit from all mandate holders who submit them, including the Special Rapporteur on the human rights of internally displaced persons, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the Working Group on the use of mercenaries as means of impeding the exercise of the right of peoples to self-determination.

Equality, non-discrimination and protection of vulnerable persons

Recommendation 128.6 (Rejected)

17. As for recommendation 128.6, Côte d'Ivoire would have preferred it to be split into two, separating LGBTI persons from AIDS patients. In any event, it would point out that AIDS patients enjoy special protection in terms of both social protection and health care.

18. In fact, Côte d'Ivoire has HIV/AIDS units in its main hospitals. Even more to the point, it subsidizes the antiretroviral therapy so that HIV patients have to spend a mere 1,000 CFA francs per month (less than 2 euros a day). In July 2014, Parliament passed a bill governing prevention, protection and punishment in the fight against HIV/AIDS, which provides for the rights of persons living with or affected by HIV.

19. At the same time, without being a homophobic country, Côte d'Ivoire does not accord more rights to LGBTI persons than to other citizens. The Ivoirian Criminal Code does not punish sexual relations between consenting adults.

20. However, under positive law as it currently stands in Côte d'Ivoire and when it comes to people's attitudes, this recommendation would fail if it were to be kept as is.

II. Progress on the implementation of the accepted recommendations

21. The recommendations accepted by Côte d'Ivoire following its second universal periodic review are divided among the public and semi-public services potentially responsible for their implementation. At the end of this process, a wide-ranging return and awareness-raising campaign, including civil society, will be held. The follow-up committee, assisted by the "human rights" focal points in ministries and public institutions, will monitor implementation.

22. In any event, it should be noted that since the last review of Côte d'Ivoire various measures have been taken with a view to the implementation of the accepted recommendations.

23. The most outstanding are:

Normative and structural human rights protection framework:

- Promulgation of the Act on the reform of the Independent Electoral Commission the elected members of which come not only from the party in power, but from the opposition and civil society;
- Adoption of a communication on girls' entry into the National Gendarmerie from the beginning of the 2015/16 academic year. The quota reserved for women for the Gendarmerie competition will be 10 per cent for officers and non-commissioned officers.

Justice, fight against impunity, and security:

- Pursuit of the process of national reconciliation. Investigations have taken place on the ground to determine the responsibilities and the harm suffered by the victims of the crisis. To this end, the Dialogue, Truth and Reconciliation Commission is preparing to start up public hearings.

24. Côte d'Ivoire would like, under this review, to thank the international community again for its support and request it to continue to sustain it on its path towards reconstruction and consolidation of the rule of law, and promises to produce a report halfway through 2016 on the effective implementation of the recommendations made during the universal periodic review of April and May 2014.